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# PARALEGAL PULSE

ADDRESSING THE NEEDS OF PARALEGALS THROUGH EDUCATION AND TECHNICAL TRAINING

## What is a Paralegal?

A seasoned paralegal will tell you a paralegal is the person responsible for file organization, collection of documents, reviewing exhibits, reminding attorneys about deadlines (more than once), and, perhaps, writing briefs. A paralegal student, on the other hand, will probably say that a paralegal assists the attorney with any required tasks. And an office administrator

may make no distinction between a paralegal and the clerical staff.

Officially, the American Bar Association defines a paralegal as "a person qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or

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## MARKET WATCH

Mention the job you are apply-

ing for in the first paragraph of your cover letter. Employers also like to know where you heard about the position—a job fair, online, or classified ad.



# Getting the Most from Continuing Legal Education

with paralegals from across the state.

AAPi's Region II also hosts

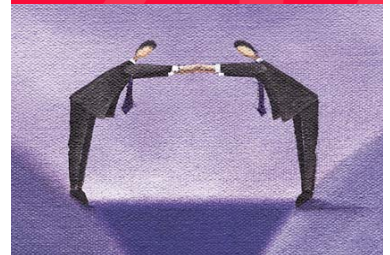
There are many opportunities for Continuing Legal Education coming up. AAPi will host its Winter in Montgomery February 19th—21st at the Renaissance Hotel. Join AAPi for an opportunity to network

## CONTINUING LEGAL EDUCATION CAN INCREASE YOUR MARKETABILITY

monthly luncheons in Montgomery. The meetings are normally held the last Wednesday of each month at the Farmers' Market Café. For more information, please contact [cdavis@faulkner.edu](mailto:cdavis@faulkner.edu).

### TECHNICAL TIPS:

To keep pictures and artwork in proportion in Powerpoint:



- You click the first picture.
- Hold down the Shift Key.
- Click the other pictures.
- Then you mouse drag the picture to the size you want.



A MOMENT WITH THE DIRECTOR

## New Law Office Management Course in Action!

I am very pleased to report that our new Law Office Management course recently began and we are off to a great start. This course was added to the curriculum based on recommendations by our Legal Studies Advisory Board, area employers, and students. We realized that we were providing our students with plenty of instruction in legal research and substantive law; however, we needed more emphasis on law office dynamics and legal technology. In this course, students review law

firm structure, human resources procedures, management skills, calendaring systems, electronic discovery issues, the legal requirements surrounding the archiving of electronic communications, and much more! The class also offers presentations from Freedom Court Reporting showcasing Trial Director and other legal technology issues.

This course is a great addition to our Legal Studies curriculum. Not enrolled in our Legal Studies program? Paralegals and other office staff are invited to audit the course! Contact me at [mjohns@faulkner.edu](mailto:mjohns@faulkner.edu) for more information.



## CAN YOU HEAR ME NOW?

Paralegals who work in firms dealing with estate planning may handle a variety of tasks including initial client interviews; creating spreadsheets of financial records; preparing monthly budgets, guardianship, wills, and other probate documents. It is helpful to

create checklists or outlines to stay on track when interviewing an emotionally distraught client. Often you will find that clients who are requesting wills do so when there is a pressing need for the document and/or may change a will or estate document when there has been a split in family ties. The other side of this coin, is dealing with the client after a loved one has passed away in the administra-

tion of the estate. In both instances, the client is being pressed by an emotional need to be in your office. Dealing with an emotional client takes greater listening skills, more patience, and a caring attitude in order to receive the information you need to complete your job task. Oliver Wendell Holmes said it best: "It is the province of knowledge to speak. And it is the privilege of wisdom to listen."



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other entity who performs specifically delegated substantive legal work for which a lawyer is responsible." (Adopted by the ABA in 1997.)

While many state paralegal associations are working with their state bar associations to have a definition of the term "paralegal" adopted or a certification program approved, the perennial question of what a paralegal can and cannot do gains new importance. Firms that have employed paralegals for many years may take for granted that paralegals and attorneys are aware of the ethical requirements placed upon the paralegal profession, while the question of ethical guidelines may be

something new to firms thinking of hiring its first paralegal.

Paralegals, however, should always be aware of what they can do, and the tasks that they cannot perform, including accepting cases, setting fees or offering legal advice which constitutes unauthorized practice of law (UPL).

Canon 2 of the *NALA Code of Ethics* "provides that paralegals "may perform any task which is properly delegated and supervised by an attorney, as long as the attorney is ultimately responsible to the client, maintains a direct relationship with the client, and assumes professional responsibility for the work product." Firms should remain prudent in their respon-

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## COMMUNITY SERVICE:

Why get involved in Community Service?



Community Service often allows you to volunteer and "test" a career. Paralegals can volunteer for pro bono projects or with State Bar projects such as *Wills for Heroes* to work in different areas of law.



# Increasing Your Billable Hours

day, you will find that it is easier to track and you do not lose billable time. Also, tracking phone calls and responding to emails may be an area where you are losing billable time. Make it a priority to write each and flag messages and phone call important that you may bill for if you cannot enter that time during the day. Using emails or your calendar at the end of the month is a time-consuming and ineffective way to boost your billable hours.



Tracking your billable time can at times be a daunting task. When you are slammed at work and struggling for every minute to just get your work out, entering your time may fall to the back of your list of things to do. But, if you can make it a habit to enter your time as you go along each

## RESUME TIPS:



Fill your resume with "PAR" statements. PAR stands for Problem-Action-Results. First, state the problem that existed in the workplace, describe how you handled it, and then point out the results.

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sibilities to oversee the paralegals work and maintain direct contact with the clients, especially when a paralegal has worked for the same firm for many years and the attorney has become comfortable with the paralegal's abilities.

Canon 6 spells out the need for paralegals to continue their education and skills by participating in continuing education opportunities. This Canon states that a "legal assistant must strive to maintain integrity and a high degree of competency through education and training with respect to professional responsibility, local rules and practice, and through continuing education in substantive areas of law to better assist the legal profession in fulfilling

its duty to provide legal service." Technology for law firms is changing and improving daily and paralegals are often at the forefront advising firms on which technology would best help their firms. Attending paralegal seminars and technology seminars, while providing great networking opportunities, also provides paralegals with a wealth of knowledge to help keep their computer skills updated and to stay current with rule changes and standard forms.

Finally, Canon 4 states that paralegals "must use discretion and professional judgment commensurate with knowledge and experience but must not render independent legal judgment in place of an attorney. The services of an attorney are essential in the public

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## Starting a Student Organization

state and national paralegals organizations. Membership would be open to all legal students and past legal studies graduates. The organization's goal would be to

**Students:** Are you interested in starting a student organization for Legal Studies? A student organization can provide you with further learning opportunities and networking relationships by introducing you to our graduates and county,



support, enhance, and develop relationships with fellow students, paralegals and our community through organized events, workshops, and community service projects.

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interest whenever such legal judgment is required."

All paralegals, at times, may be required to ask the following questions: "Is the task that the attorney is asking me to do outside the realm of ethics...is this the unauthorized practice of law...how can I ask to be sure?" For new legal assistants, these questions may be particularly difficult and they may need to seek out the assistance or advice of a seasoned paralegal. Even seasoned paralegals may find themselves struggling with ethical situations in which the attorney, either knowingly or innocently, has thrust upon them. It is in these times that seeking advice from the managing partner, office manager, or someone in the local paralegal association is wise.

## GRAMMAR TIPS:



Do not use a comma when writing only two date elements, namely, the month and the year, the month and the day, or the season and the year.

Seasoned paralegals also need to take an active role in continuously educating attorneys, bar associations, the public, and new paralegals on the job responsibilities and functions of paralegals and the ethical guidelines which regulate our profession. We cannot rely on others to be knowledgeable in this regard.

We must be persistent with this education so that the paralegal profession will continue to grow unhampered by ethical snarls. Opportunities for paralegals to work with state and local bar associations will be enhanced by our clear understanding of what we do — and making sure others understand as well.