

AUGUST 6, 2024

NATIONAL PARALEGAL DAY

Overview and Summary

- Support is a vital part of the foundation of any success; and within the legal ecosystem, paralegals play a vital part in building and sustaining that foundation. Success in the legal profession means that the ideals of liberty and justice for all have prevailed through the rule of law.
- The American Bar Association (ABA) has endorsed the use of paralegals since 1967, defining paralegals as those qualified by education, training, or work experience to perform specifically delegated, substantive legal work under attorney supervision.
- Paralegals adhere to the highest ethical standards. Working in a variety of legal settings, paralegals are essential assets to the governmental agencies, corporations, law firms, and other entities that employ them.
- Just as other professions are honored with a day of recognition, a National Paralegal Day—recognized as the day the ABA created what would become its Standing Committee on Paralegals, August 6th (1968)—would help provide a platform to thank paralegals for their tireless work and contributions to the legal ecosystem and to encourage others to pursue this honorable career.

Paralegals Provide Unparalleled Support

Support is a vital part of the foundation of any success. Success in the legal profession means that the ideals of liberty and justice for all have prevailed through the rule of law, a noble cause requiring the support of many. If any irrefutable evidence ever existed on which attorneys, judges, and legal clients on both sides of a matter can agree, it is that support is precisely what paralegals contribute to the legal field.

Recognition is Long Overdue

Just as other professions are honored with a day of recognition, a National Paralegal Day would help provide a platform to thank paralegals for their tireless work and contributions to the legal field alongside their attorneys. It would also help to put into perspective what it means to be a paralegal and correct any misconceptions that may exist about paralegals being “glorified secretaries.” Many paralegals invest heavily in their professional development and education and should, therefore, be honored with a day to celebrate their chosen career path.

On August 6, 1968, the American Bar Association created the Special Committee on Lay Assistants. That committee is now the Standing Committee on Paralegals and is the ABA's primary group focused on the utilization of paralegals throughout the legal industry. Because of its historical context, August 6th is the proposed National Paralegal Day.

The Vital Role and Duties of Paralegals

The American Bar Association has endorsed the use of paralegals since 1967 and established the first committee on paralegals (called “lay assistants” at the time) in 1968. The ABA adopted Model Guidelines for the Utilization of Legal Assistant Services in 1991, which were revised as the ABA Model Guidelines for the Utilization of Paralegal Services in 2021. Many states have adopted these guidelines or their own versions. Paralegals play a crucial role in the legal field and are essential for several reasons, but perhaps their most valuable role can be summarized in the general support they provide to attorneys and to the clients they serve. Paralegals provide support to attorneys by assisting them with various tasks, including, but not limited to, the following:

- Conducting client interviews and maintaining general contact with the client.
- Locating and interviewing witnesses.
- Conducting investigations and statistical and documentary research.
- Conducting legal research.
- Drafting legal documents, correspondence, and pleadings.
- Summarizing depositions, interrogatories, and testimony.
- Authoring and signing correspondence.
- Attending executions of wills, real estate closings, depositions, court or administrative hearings and trials with the attorney.
- Assisting with transactional matters, such as mergers and acquisitions, corporate reporting, etc.
- Drafting, filing, and managing various business entity documents for corporations, LLCs and partnerships with state agencies.
- Assisting with the filing of intellectual property applications, i.e., patents, copyrights, etc.

By handling these tasks, paralegals enable attorneys to focus on more complex legal matters, such as developing legal strategies and representing clients in court.

Paralegals are qualified by education, training, or work experience and are employed or retained by a lawyer, law office, corporation, governmental agency, or other entity to perform specifically delegated substantive legal work for which a lawyer is responsible (ABA House of Delegates, 2020). In a law firm setting, a paralegal's time spent on substantive legal work is often billed to clients at a lower rate than the market rate. This distinguishes paralegals from other legal staff members who are not attorneys. As a general rule, paralegal time spent on administrative or clerical functions is not billable. The work product of a paralegal becomes the attorney's work product.

Ethics and Certification

Paralegals are guided by the highest ethical standards and the lawyers who employ them are ultimately responsible for their ethical conduct. Any transgressions by a paralegal may subject the lawyer to professional discipline. As stated earlier, a paralegal is qualified by education, training, or work experience. Some paralegal educational programs are approved by the American Bar Association (ABA). Paralegals also have the opportunity to become certified by completing the voluntary certification process of a professional association. Most certifications through these professional agencies carry continuing legal education (CLE) requirements which a paralegal must adhere to in order to maintain their certification. There are many opportunities for paralegals to enhance their certification by completing advanced certifications in particular areas of the law. Whether employed in large or small law firms, public or government sectors, nonprofit or as freelance support, paralegals play a vital role in delivering quality legal services.

Paralegals Provide Added Value for Clients

Utilizing paralegals is a cost-effective solution for all business sectors. Paralegals often perform “tasks” that do not require the expertise of an attorney but still require legal knowledge and skills. Cost savings are realized by delegating such tasks to paralegals because they have generally lower billing rates and/or wages compared to attorneys. Paralegal time can be billed out separately to clients, and at lower rates.

In addition to the benefit of lower costs for clients, paralegals act as a conduit between attorneys and clients. They communicate with clients, gather relevant information, and provide updates on the progress of their cases. Paralegals may also assist clients in filling out legal forms, explaining legal procedures, and addressing general inquiries. This interaction enhances client satisfaction by facilitating the understanding of complex information and avoiding misunderstandings that ultimately help maintain strong relationships between attorneys and clients. Overall, paralegals contribute significantly to the legal field by providing vital support to attorneys and clients by using their expertise and skills to enhance the efficiency and effectiveness of legal operations, making them essential assets in law firms, legal departments, and other legal arenas.

Background and Contact Information

The initiative to establish a federal National Paralegal Day is the work of many individuals, groups, and organizations. This initiative continues to grow, and those currently involved continue to seek broad support from all who work with and within the paralegal field. It is our intention and goal to create a federally acknowledged annual National Paralegal Day supported by both chambers of congress. Because commemorative days are not currently allowed in the Rules of the House of Representatives of the 118th Congress, we respectfully request that an acknowledgement of the importance of paralegals in the legal ecosystem be read into the Congressional Record on August 6, 2024.

Current Initiative Partners Include:

American Association for Paralegal Education (AAfPE)

National non-profit organization founded in 1981 and headquartered in Dover, DE

Mission: Improvement of the paralegal profession through the fostering of high standards of paralegal and legal studies.

Website: www.AAfPE.org

Contact: A. Nathan Mihelich, CAE; Executive Director; nathan@aafpe.org

NALA – The Paralegal Association (NALA)

National non-profit organization founded in 1975 and headquartered in Tulsa, OK

Mission: Equipping paralegals for the challenges of the future through certification, professional development, and advocacy.

Website: www.NALA.org

Contact: Vanessa (Vinnie) Finley, MBA, CAE; CEO; vfinley@nala.org

National Association for Legal Support Professionals (NALS)

National non-profit organization founded in 1929 and headquartered in Indianapolis, IN

Mission: Engage legal professionals on their terms. Inspire legal professionals to want more. Enhance the careers of legal professionals. Promote legal professionals and the legal support industry.

Website: www.NALS.org

Contact: Amanda Bureau, CAE, CVA; Executive Director; amanda@nals.org

National Federation of Paralegal Associations, Inc. (NFPA)

National non-profit organization founded in 1974 and headquartered in Minneapolis, MN

Mission: Promote a global presence for the paralegal profession and leadership in the legal community.

Website: www.paralegals.org

Contact: Dara Rudick, CAE; Executive Director; info@paralegals.org