



## PARALEGAL REGULATION BY STATE

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REGION	STATE	DEFINITION	TYPE OF REGULATION	DESCRIPTION
III	Alabama	<p>The 1975 Code of Alabama 6-5-572: Refers to paralegals in the context of employment by an attorney.  <a href="http://alisondb.legislature.state.al.us/acas/CodeOfAlabama/1975/6-5-572.htm">http://alisondb.legislature.state.al.us/acas/CodeOfAlabama/1975/6-5-572.htm</a></p> <p>Rule 5.3 of Responsibilities regarding Nonlawyer Assistants:          Encompasses paralegals in “paraprofessionals” reference in comments section, which also refers to attorney responsibility for work product and assumption of non-legal training, and not subject to professional discipline.  <a href="http://www.sunethics.com/al_5_3.htm">http://www.sunethics.com/al_5_3.htm</a></p> <p>Additionally, Rule 7.6 Professional Cards of Nonlawyers specifically states information must clearly define the role of nonlawyer as “Legal Assistant.” Comments section includes paralegals specifically, among others.  <a href="http://www.sunethics.com/al_7_6.htm">http://www.sunethics.com/al_7_6.htm</a></p>	None	
I	Alaska	<p>Restyled in April 2009 under Supreme Court Order 1680 (SCO 1680) Alaska Rule of Professional Conduct 5.3 <b>Responsibilities Regarding Nonlawyer Assistants.</b>: Changed reference in comment from “paraprofessionals” to “paralegals” as one type of nonlawyer supervised by attorneys</p>	None – Proposal pending for voluntary Alaska Registered	March 2011: Alaska Association of Paralegals solicited support from Fairbanks Legal Assistant Association for their voluntary Alaska Registered Paralegal program through the Alaska Bar Rules. Proposal was presented to the Alaska Bar



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		(See comment [1].) The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct. <a href="http://courts.alaska.gov/prof.htm#5.3">http://courts.alaska.gov/prof.htm#5.3</a>	Paralegal through Alaska Bar Rules (overseen by AK Supreme Court)	Association in September 2011, and is currently under review. <a href="http://www.fairbanksparalegal.org/Paralegal-Regulation-Rule44-2.pdf">http://www.fairbanksparalegal.org/Paralegal-Regulation-Rule44-2.pdf</a>
I	Arizona	C. "Legal assistant/paralegal" means a person qualified by education and training who performs substantive legal work requiring a sufficient knowledge of and expertise in legal concepts and procedures, who is supervised by an active member of the State Bar of Arizona, and for whom an active member of the state bar is responsible, unless otherwise authorized by supreme court rule.  Rule 31 of Rules of the Supreme Court of Arizona, V. Regulation of the Practice of Law  <a href="http://www.supreme.state.az.us/cld/pdf/Rule%2031%20FINAL%20for%20Code%20Book.pdf">http://www.supreme.state.az.us/cld/pdf/Rule%2031%20FINAL%20for%20Code%20Book.pdf</a>	Certification of Legal Document Preparers	Supreme Court of Arizona adopted § 7-208 of the Arizona Code of Judicial Administration regarding "Legal Document Preparers" effective July 1, 2003.  This code requires anyone preparing legal paperwork without an attorney's supervision must be certified as a legal document preparer. Legal document preparers can provide general legal information but can't give legal advice.  Effective July 1, 2005, Legal Document Preparers must complete 10 hours of CLE annually. Effective July 1, 2006, LDP must take an examination.  See <a href="http://www.supreme.state.az.us/orders/admorder/Orders03/2003-14.pdf">http://www.supreme.state.az.us/orders/admorder/Orders03/2003-14.pdf</a>  Arizona Code of Judicial Administration



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				<p>Section 7-208 – Legal Document Preparer:  <a href="http://www.supreme.state.az.us/cld/pdf/ACJA%207-208%20FINAL%20for%20Code%20Book.pdf">http://www.supreme.state.az.us/cld/pdf/ACJA%207-208%20FINAL%20for%20Code%20Book.pdf</a></p> <p>Arizona Code of Judicial Administration            Section 7-201 – General Requirements:  <a href="http://www.supreme.state.az.us/cld/pdf/ACJA%207-201%20FINAL%20for%20Code%20Book.pdf">http://www.supreme.state.az.us/cld/pdf/ACJA%207-201%20FINAL%20for%20Code%20Book.pdf</a></p> <p>Website for Program Administration:  <a href="http://www.supreme.state.az.us/cld/ldp.htm">http://www.supreme.state.az.us/cld/ldp.htm</a></p>
II	Arkansas	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers “paraprofessional” as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct.</p> <p><a href="http://courts.state.ar.us/rules/current_ark_prof_conduct/law_firms/profcond5_3.cfm">http://courts.state.ar.us/rules/current_ark_prof_conduct/law_firms/profcond5_3.cfm</a></p> <p><a href="http://courts.state.ar.us/opinions/2005a/20050303/arpc2005.html">http://courts.state.ar.us/opinions/2005a/20050303/arpc2005.html</a></p>	None	
I	California	<p>California Business and Professions Code Section 6456-6456: "Paralegal" means a person who holds himself or herself out to be a paralegal, who is qualified by education, training, or work experience,</p>	Mandatory – statutory compliance for Paralegals	<p>2001:            The California Business and Professions Code defines and regulates “Legal document assistant” and “Unlawful detainer</p>



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		<p>who either contracts with or is employed by an attorney, law firm, corporation, governmental agency, or other entity, and who performs substantial legal work under the direction and supervision of an active member of the State Bar of California, as defined in Section 6060, or an attorney practicing law in the federal courts of this state, that has been specifically delegated by the attorney to him or her. Tasks performed by a paralegal include, but are not limited to, case planning, development, and management; legal research; interviewing clients; fact gathering and retrieving information; drafting and analyzing legal documents; collecting, compiling, and utilizing technical information to make an independent decision and recommendation to the supervising attorney; and representing clients before a state or federal administrative agency if that representation is permitted by statute, court rule, or administrative rule or regulation.</p> <p>(d) Every two years, commencing January 1, 2007, any person that is working as a paralegal shall be required to certify completion of four hours of mandatory continuing legal education in legal ethics and four hours of mandatory continuing legal education in either general law or in an area of specialized law. All continuing legal education</p>	<p>under CA Business &amp; Professions Code 6450 et seq.</p> <p>Mandatory – statutory compliance for Legal Document Assistants And Unlawful Detainer Assistants under CA Business &amp; Professions Code 6400 et seq.</p>	<p>assistant”</p> <p><a href="http://www.leginfo.ca.gov/cgi-bin/displaycode?section=bpc&amp;group=06001-07000&amp;file=6400-6401.6">http://www.leginfo.ca.gov/cgi-bin/displaycode?section=bpc&amp;group=06001-07000&amp;file=6400-6401.6</a></p> <p>Definition of Legal Document Assistant does not apply to paralegals provided that the paralegal does not also perform the duties of a legal document assistant. Legal document assistants must be registered in the county in which they provide services.</p> <p><a href="http://www.calda.org">www.calda.org</a></p> <p>Paralegals are regulated by statute under CA Business &amp; Professions Code 6450 et. seq. requiring mandatory compliance with educational standards, and continuing education.</p> <p>1993 – Assembly Bill 1287 proposing to register legal technicians (any nonlawyer who holds himself or herself out to the public as a legal technician, or any nonlawyer who offers to provide or who provides legal information and assistance service directly to consumers for compensation or who offers self-help legal services.”</p>



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		<p>courses shall meet the requirements of Section 6070. Certification of these continuing education requirements shall be made with the paralegal's supervising attorney. The paralegal shall be responsible for keeping a record of the paralegal's certifications.</p> <p><a href="http://www.leginfo.ca.gov/cgi-bin/displaycode?section=bpc&amp;group=06001-07000&amp;file=6450-6456">http://www.leginfo.ca.gov/cgi-bin/displaycode?section=bpc&amp;group=06001-07000&amp;file=6450-6456</a></p>		CA SB709 register independent paralegals (no recent action)
II	Colorado	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers "paraprofessional" as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.</p> <p><a href="http://www.cobar.org/index.cfm/ID/20496/subID/22466/CETH/">http://www.cobar.org/index.cfm/ID/20496/subID/22466/CETH/</a></p> <p><i>Guidelines for the Utilization of Paralegals</i> were originally drafted by the Legal Assistant Committee (now Paralegal Committee) of the Colorado Bar Association and formally approved by the Board of Governors in July 1986. The first revision was approved in 1998. The Colorado Bar Association Paralegal Committee completed its second revision, update, and attorney review, and the proposed Guidelines were reviewed by the Colorado Supreme Court Office of Attorney Regulation Counsel for the</p>	None	



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		<p>unauthorized practice of law. The Guidelines were formally approved by the Colorado Bar Association Board of Governors at their meeting on May 17, 2008.</p> <p>Guidelines:  <a href="http://www.cobar.org/index.cfm/ID/106/subID/23108/CLAS//">http://www.cobar.org/index.cfm/ID/106/subID/23108/CLAS//</a></p> <p>Footnote in Guidelines discusses the differences between paralegal and legal assistant titles:            1 In 1986, the ABA Board of Governors approved a definition for the term “legal assistant.” In 1997, the ABA amended the definition of legal assistant by adopting the following language: “A legal assistant or paralegal is a person qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity who performs specifically delegated substantive legal work for which a lawyer is responsible.” To eliminate any confusion over the term “legal assistant” since it is used in Colorado for positions other than that of a paralegal, for example, legal secretary, these guidelines use the term “paralegal” rather than “legal assistant,” however, the terms legal assistant and paralegals are often used interchangeably.</p>		
V	Connecticut	Rule of Professional Conduct 5.3 Does not define paralegals but considers “paraprofessional” as	None	2011: <b>HB 6477</b> – An Act Concerning the Unauthorized Practice of Law by Notaries



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		<p>nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.</p> <p><a href="http://www.jud.ct.gov/publications/PracticeBook/PB_2012.pdf#page=54">http://www.jud.ct.gov/publications/PracticeBook/PB_2012.pdf#page=54</a></p> <p>CBA Guidelines for Lawyers Who Employ or Retain Legal Assistants and Guidelines For Legal Assistants published 1/13/97:  <a href="https://www.ctbar.org/Sections%20Committees/Committees/Paralegals/GuidelinesForLawyersWhoEmployOrRetainLegalAssistants.aspx">https://www.ctbar.org/Sections%20Committees/Committees/Paralegals/GuidelinesForLawyersWhoEmployOrRetainLegalAssistants.aspx</a></p> <p>Paralegals Committee of the Connecticut Bar Association  <a href="https://www.ctbar.org/Sections%20Committees/Sections/Paralegals.aspx">https://www.ctbar.org/Sections%20Committees/Sections/Paralegals.aspx</a></p>		<p>Public and the Outsourcing of the Drafting, Review or Analysis of Legal Documents. It was referred to the Joint Committee on Judiciary on 2/24/11 and a public hearing was held on 4/8/11. At the request of the Connecticut Alliance of Paralegal Associations, NFPA prepared a response to this proposed regulation which can be found at the attached website link, under Public Hearing Testimony. While the intent was to prohibit "Notorios" from practicing law and outsourcing of legal work, the legislation, as proposed, had a far greater impact on the paralegal profession in Connecticut. HB 6477 died in committee.  <a href="http://cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&amp;bill_num=6477&amp;which_year=2011&amp;SUBMIT1.x=6&amp;SUBMIT1.y=12">http://cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&amp;bill_num=6477&amp;which_year=2011&amp;SUBMIT1.x=6&amp;SUBMIT1.y=12</a></p> <p>2009 – HB-6138 – An Act Concerning the Licensing of Paralegals  <a href="http://search.cga.state.ct.us/2009/TOB/H/2009HB-06138-R00-HB.htm">http://search.cga.state.ct.us/2009/TOB/H/2009HB-06138-R00-HB.htm</a>  died in General Law Committee.</p> <p>1993 bill (HB 5827 introduced into the state legislature providing for the state to develop</p>



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				licensing procedures for nonattorney operated legal document processing businesses. Defeated  HB 5445 – provided for paralegals employed by Public Defendants be given the authority to administer oath.
IV	Delaware	Rule of Professional Conduct 5.3 Does not define paralegals but considers “paraprofessional” as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct.  <a href="http://courts.delaware.gov/Rules/DLRPCFebruary2010.pdf">http://courts.delaware.gov/Rules/DLRPCFebruary2010.pdf</a>	Voluntary Certification Through Paralegal Association	Delaware Certified Paralegal Approved by Delaware Paralegal Association on May 12, 2005. Eligibility requires either paralegal experience, education in paralegal studies, NFPA or NALA certifications, or combination of experience and formal education in another discipline. Applicants must be a member of the Delaware Paralegal Association.  <a href="http://www.deparalegals.org/dcp-program.php">http://www.deparalegals.org/dcp-program.php</a>
IV	District of Columbia	Rule of Professional Conduct 5.3 Does not define paralegals but considers “paraprofessional” as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct.  <a href="http://www.dcbbar.org/for_lawyers/ethics/legal_ethics/rules_of_professional_conduct/amended_rules/rul">http://www.dcbbar.org/for_lawyers/ethics/legal_ethics/rules_of_professional_conduct/amended_rules/rul</a>	None	





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		<a href="#">e five/rule05_03.cfm</a>		
III	Florida	<p><i>Rule 4-5.3 Responsibilities Regarding Nonlawyer Assistants</i> of the Rules Regulating the Florida Bar refers to paralegals (and others using titles of nonlawyer assistants) as: one who must be under the supervision of a lawyer or law firm.</p> <p><a href="http://www.floridabar.org/divexe/rrtfb.nsf/FV/8C9B4524008595E485256BBC0052DD7B">http://www.floridabar.org/divexe/rrtfb.nsf/FV/8C9B4524008595E485256BBC0052DD7B</a></p> <p><i>Rule 10-2.1(b) Generally (Rules Governing the Investigation and Prosecution of the Unlicensed Practice of Law)</i> Paralegal or Legal Assistant. A paralegal or legal assistant is a person qualified by education, training, or work experience, who works under the supervision of a member of The Florida Bar and who performs specifically delegated substantive legal work for which a member of The Florida Bar is responsible. A nonlawyer or a group of nonlawyers may not offer legal services directly to the public by employing a lawyer to provide the lawyer supervision required under this rule.</p> <p><a href="http://www.floridabar.org/divexe/rrtfb.nsf/FV/5DE8883FE14988A585256BC2004522AA">http://www.floridabar.org/divexe/rrtfb.nsf/FV/5DE8883FE14988A585256BC2004522AA</a></p> <p><i>Rule 20-2.1 Generally (Florida Registered Paralegal</i></p>	<p>Registered Paralegal Program (2 tier voluntary program through The Florida Bar)</p> <p><a href="http://www.flabar.org/frp">www.flabar.org/frp</a></p>	<p>March 2011: HB 1149 (sponsor: Representative Steinberg) and SB 1612 (sponsored by Senator Richter) propose mandatory licensure of the paralegal profession. Detailed bills proposed by Florida Alliance of Paralegal Association stripped to bare bones from original proposal to allow oversight board to draft rules without return to legislature. Bills also introduced during tea-party governor's "no new regulation" initiative and died in Civil Justice and Judiciary committees.</p> <p><a href="http://www.flsenate.gov/Session/Bill/2011/1612">http://www.flsenate.gov/Session/Bill/2011/1612</a></p> <p><a href="http://www.flsenate.gov/Session/Bill/2011/1149">http://www.flsenate.gov/Session/Bill/2011/1149</a></p> <p>June 2009: FRP Committee voted unanimously not to extend current grandfather clause sunset date (March 2011) for those without formal education to qualify. Also defined qualified education programs which are not ABA-approved, but are institutional members of AAFPE, as in substantial compliance with ABA program standards as required under Rule 20-2.1(d).</p>



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		<p><i>Program)</i></p> <p>(a) Paralegal. A paralegal is a person with education, training, or work experience, who works under the direction and supervision of a member of The Florida Bar and who performs specifically delegated substantive legal work for which a member of The Florida Bar is responsible.</p> <p>(b) Florida Registered Paralegal. A Florida Registered Paralegal is someone who meets the definition of paralegal and the requirements for registration as set forth elsewhere in these rules.</p> <p><a href="http://www.floridabar.org/divexe/rrtfb.nsf/FV/B8F1801F71B62CE9852573E5005497A9">http://www.floridabar.org/divexe/rrtfb.nsf/FV/B8F1801F71B62CE9852573E5005497A9</a></p> <p>Corresponding state statute F.S. §57.104 for computation of attorneys' fees refers to "legal assistant."</p> <p><a href="http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&amp;Search_String=&amp;URL=0000-0099/0057/Sections/0057.104.html">http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&amp;Search_String=&amp;URL=0000-0099/0057/Sections/0057.104.html</a></p>		<p>The committee agreed that creation of a sub-committee to study mandatory implementation of the FRP program as paralegal regulation in Florida was needed to move forward with that initiative, but declined to form the sub-committee as "too early."</p> <p>On November 15, 2007, the Supreme Court of Florida adopted a voluntary program for the registration of paralegals under Chapter 20 of the Rules Regulating the Florida Bar. The Florida Registered Paralegal Program, "provides for voluntary registration of paralegals who meet certain minimum educational, certification, or work experience criteria and who abide by an established code of ethics in exchange for the ability to refer to themselves as Florida Registered Paralegals." Disciplinary action may be taken against FRPs found to be in violation of the Rule. Disciplinary measures include revocation of FRP designation. The voluntary Florida Registered Paralegal Program became effective March 1, 2008, at 12:01 a.m. More information is available at: <a href="http://www.flordiasupremecourt.org/decisions/2007/sc06-1622.pdf">www.flordiasupremecourt.org/decisions/2007/sc06-1622.pdf</a> or <a href="http://www.flabar.org/frp">http://www.flabar.org/frp</a></p>



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				<p>In September 2006, the South Florida Paralegal Association (SFPA) objected to the Florida Bar's proposal for regulating paralegals as the proposed plan for registration is not mandatory, among other issues. SFPA participated in the Oral Argument held at the Florida Supreme Court in April 2007.</p> <p>Link to the Oral Argument may be found here:  <a href="http://wfsu.org/gavel2gavel/archives/07-04.html">http://wfsu.org/gavel2gavel/archives/07-04.html</a> (Case No. SC06-1622)</p> <p>SFPA established a website for the purpose of monitoring the proposal at  <a href="http://www.floridaregisteredparalegal.com">www.floridaregisteredparalegal.com</a></p> <p>On June 2, 2006, the Board approved the rule. It expects to be filed with the Supreme Court of Florida in August 2006 for final action. More information about Chapter 20 is available at <a href="http://www.floridabar.org/frp">www.floridabar.org/frp</a></p> <p>In the summer of 2006, the Special Committee to Study Paralegal Regulation of the Florida Bar presented a final version of</p>



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				<p>proposed Rule 20 to establish the Florida Registered Paralegal program to the Board of Governors of The Florida Bar for approval.</p> <p>April 2006 - The Florida Bar derailed the bills that would have placed paralegals under the oversight of the state Department of Business and Professional Regulation.</p> <p>No forward movement on drafting an acceptable Rule prompts Senator Argenziano and Representative Zapata to re-submit the Paralegal Profession Act in the 2006 Legislative Session.</p> <p><a href="http://www.flsenate.gov/session/index.cfm?Mode=Bills&amp;SubMenu=1&amp;BillMode=ViewBillInfo&amp;BillNum=0906">http://www.flsenate.gov/session/index.cfm?Mode=Bills&amp;SubMenu=1&amp;BillMode=ViewBillInfo&amp;BillNum=0906</a> (died in Judiciary Committee)</p> <p><a href="http://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=32147&amp;SessionId=42">http://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=32147&amp;SessionId=42</a> (died in Committee on Business Regulation)</p> <p>Committee work on the 2005 Bills are tabled when Representative Zapata agrees to work with the Bar to create a proposal, and joins</p>



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				<p>the committee to draft proposal.</p> <p>The Paralegal Profession Act proposed in the legislature in March of 2005 would have created provisions to regulate paralegals, provide educational requirements, a grandfather clause and reciprocity.</p> <p>Paralegal Profession Act by Argenziano:  <a href="http://www.flsenate.gov/session/index.cfm?Mode=Bills&amp;SubMenu=1&amp;BillNum=2054">http://www.flsenate.gov/session/index.cfm?Mode=Bills&amp;SubMenu=1&amp;BillNum=2054</a> (died in Judiciary Committee 5/6/05)</p> <p>General Bill by Zapata, co-sponsored by Robaina  <a href="http://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=17206&amp;SessionId=38">http://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=17206&amp;SessionId=38</a> (Died in Judiciary Committee)</p> <p>In 1983 the Paralegal Association of Florida (PAF) established the Voluntary Certified Florida Legal Assistant Program. In 2009, PAF changed the name of the designation to Florida Certified Paralegal (FCP.) Must be a CP to qualify for FCP exam.</p>
III	Georgia	Georgia Rule of Professional Conduct 5.3 Does not define paralegals but considers "paraprofessional"	None	In 1994 The Committee to Examine the Role of Legal Assistants of the State Bar of



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		<p>as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.</p> <p><a href="http://gabar.org/handbook/part_iv_after_january_1_2001_-_georgia_rules_of_professional_conduct/rule_53_responsibilities_regarding_nonlawyer_assistants/">http://gabar.org/handbook/part_iv_after_january_1_2001 - georgia rules of professional conduct/rule 53 responsibilities regarding nonlawyer assistants/</a></p> <p>Guidelines for Utilization of Paralegals (originally called legal assistants / paraprofessionals) dated 9/17/77  <a href="http://www.gabar.org/handbook/state_disciplinary_board_opinions/adv_op_21/">http://www.gabar.org/handbook/state_disciplinary_board_opinions/adv_op_21/</a></p> <p>State Disciplinary Board Opinion History:  <a href="http://www.gabar.org/handbook/supreme_court_of_georgia/state_disciplinary_board_opinion_history/">http://www.gabar.org/handbook/supreme_court_of_georgia/state_disciplinary_board_opinion_history/</a></p>		Georgia prepared a preliminary report on the role of legal assistants.
I	Hawaii	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers "paraprofessional" as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.</p> <p><a href="http://www.courts.state.hi.us/docs/court_rules/rules/hrpcond.pdf">http://www.courts.state.hi.us/docs/court_rules/rules/hrpcond.pdf</a></p>	None	The Hawaii State Bar Association Task Force on Paralegal Certification drafted a proposal to amend the Hawaii Supreme Court Rules and Hawaii Rules of Professional Conduct to require certification of paralegals and only general supervision by attorneys. The proposal included a voluntary national exam, education and experience requirements. In 2001 The



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				Hawaii State Bar Association rejected this mandatory paralegal certification program
I	Idaho	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers “paraprofessional” as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct.</p> <p><a href="http://isb.idaho.gov/pdf/rules/irpc.pdf">http://isb.idaho.gov/pdf/rules/irpc.pdf</a></p> <p>Adopted by Idaho State Bar members during the 1992 resolution process – Advisory only, not part of rules.</p> <p><a href="http://isb.idaho.gov/pdf/general/legasst.pdf">http://isb.idaho.gov/pdf/general/legasst.pdf</a></p>	None	
II	Illinois	<p>Sec. 1.35. Paralegal. "Paralegal" means a person who is qualified through education, training, or work experience and is employed by a lawyer, law office, governmental agency, or other entity to work under the direction of an attorney in a capacity that involves the performance of substantive legal work that usually requires a sufficient knowledge of legal concepts and would be performed by the attorney in the absence of the paralegal. A reference in an Act to attorney fees includes paralegal fees, recoverable at market rates.</p> <p>(Source: P.A. 89-123, eff. 1-1-96.)</p>	None	<p>In 2005 two bills (HB 4686 and SB2253) were introduced creating the Legal document Preparer Act. Both bills have been referred to Rules Committee. These were updated versions of SB0335 which has also been referred to Rules. Both died in committee.</p> <p><a href="http://www.ilga.gov/legislation/94/HB/09400HB4686.htm">http://www.ilga.gov/legislation/94/HB/09400HB4686.htm</a></p> <p><a href="http://www.ilga.gov/legislation/94/SB/09400SB2253.htm">http://www.ilga.gov/legislation/94/SB/09400SB2253.htm</a></p>



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		<p>General Provisions (5 ILCS 70/1.35) Statute on Statutes:  <a href="http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=79&amp;ChapAct=5%26nbsp%3BILCS%26nbsp%3B70%2F&amp;ChapterID=2&amp;ChapterName=GENERAL+PROVISIONS&amp;ActName=Statute+on+Statutes%2E">http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=79&amp;ChapAct=5%26nbsp%3BILCS%26nbsp%3B70%2F&amp;ChapterID=2&amp;ChapterName=GENERAL+PROVISIONS&amp;ActName=Statute+on+Statutes%2E</a></p> <p>Rule 5.3 of Illinois Rules of Professional Conduct Encompasses paralegals in “paraprofessionals” reference in comments section, which also refers to attorney responsibility for work product and assumption of non-legal training, and not subject to professional discipline.</p> <p><a href="http://www.state.il.us/court/SupremeCourt/Rules/ArtVIII/ArtVIII_NEW.htm#5.3">http://www.state.il.us/court/SupremeCourt/Rules/ArtVIII/ArtVIII_NEW.htm#5.3</a></p>		<p><a href="http://www.ilga.gov/legislation/94/SB/09400SB0335.htm">http://www.ilga.gov/legislation/94/SB/09400SB0335.htm</a></p> <p>SB 0776 from the 87<sup>th</sup> General Assembly and SB2314 from the 86<sup>th</sup> General Assembly created the Legal Technician Licensing Act. Both were defeated</p> <p><a href="http://www.ilga.gov">www.ilga.gov</a></p>
III	Indiana	<p>Definition - I.C. 1-1-4-6: <b>Attorney's fees as including paralegal's fees</b></p> <p>Sec. 6. (a) As used in this section, "paralegal" means a person who is:</p> <ul style="list-style-type: none"> <li>(1) qualified through education, training, or work experience; and</li> <li>(2) employed by a lawyer, law office, governmental agency, or other entity; to work under the direction of an attorney in a capacity that involves the performance of substantive legal work that usually requires a sufficient knowledge of legal concepts and would be</li> </ul>	Voluntary registration – Indiana Registered Paralegal	<p>September 2008: The Indiana Supreme Court rejected Proposed Rule 2.2. Although the Indiana Rules of Professional Conduct govern an attorney's supervision of paralegals, there's nothing currently in place for governing these individuals directly. The Court did say they would be open to reexamining the issue.</p> <p>Proposed Rule 2.2 continues to move forward. The Board of Governors of the Indiana State Bar Association (ISBA) fully</p>





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		<p>performed by the attorney in the absence of the paralegal.</p> <p>(b) A reference in the Indiana Code to attorney's fees includes paralegal's fees.  <i>As added by P.L.6-1993, SEC. 1.</i>  <a href="http://www.in.gov/legislative/ic/code/title1/ar1/ch4.html">http://www.in.gov/legislative/ic/code/title1/ar1/ch4.html</a></p> <p>Guidelines for utilization of Non-lawyer Assistants - Sections 9.1-10 of the Indiana Rules of Professional Conduct, which includes Ethical Standards for Legal Assistants  <a href="http://www.state.in.us/judiciary/rules/prof_conduct/index.html#_Toc313019233">http://www.state.in.us/judiciary/rules/prof_conduct/index.html#_Toc313019233</a></p> <p>Rule 5.3 of Rules of Professional Conduct – Responsibilities Regarding Nonlawyer Assistants:  <a href="http://www.state.in.us/judiciary/rules/prof_conduct/index.html#_Toc313019210">http://www.state.in.us/judiciary/rules/prof_conduct/index.html#_Toc313019210</a></p>	Bar Association Ethical Rules for Paralegals	<p>supported comments to proposed Rule 2.2 as gathered by John Conlon, the ISBA appointed Chair of the subcommittee on proposed Rule 2.2 Paralegals. A report of the comments gathered was made to the ISBA House of Delegates and additional comments were received from various delegates. Pursuant to his earlier request, all comments will be forwarded by ISBA to Chief Justice Randall T. Shepard for action by the Supreme Court.</p> <p>The Indiana Supreme Court is considering an addition to the Rules for Admission to the Bar. Indiana Supreme Court was accepting comments through 4/3/06 on voluntary paralegal registration. The comment period for the rule ended in April 2006; comments were overwhelmingly positive. In October 2006, the Indiana State Bar Association Board of Governors unanimously passed a resolution for a favorable recommendation of support of proposed Rule 2.2. This proposal defines paralegals, establishes educational requirements and bans disbarred attorneys, felons and those convicted of UPL from registering. Paralegals now await adoption by the Indiana Supreme Court.</p>



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				In October of 1993, the Indiana Supreme Court issued an Order amending the Rules of Professional Conduct, combining the ethical rules and the model guidelines for utilization of legal assistants proposed by the Indiana State Bar Association.
II	Iowa	<p>Rule of Professional Conduct 32:5.3 Does not define paralegals but considers “paraprofessional” as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct.</p> <p><a href="http://www.iowacourts.gov/wfdata/frame2397-1066/File1.pdf">http://www.iowacourts.gov/wfdata/frame2397-1066/File1.pdf</a></p>	Paralegal Certification	<p>An opinion issued by the Iowa Supreme Court Board of Professional Ethics and Conduct in September 2003 stated that it was desirable for legal assistants to achieve certification by NALA.</p> <p><a href="http://www.iabar.net/ethics.nsf/e61beed77a215f6686256497004ce492/af7ec41fdaf575de86256dca0078e356?OpenDocument">http://www.iabar.net/ethics.nsf/e61beed77a215f6686256497004ce492/af7ec41fdaf575de86256dca0078e356?OpenDocument</a></p>
II	Kansas	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers “paraprofessional” as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct.</p> <p><a href="http://www.kscourts.org/rules/Rule-Info.asp?r1=Rules+Relating+to+Discipline+of+Attorneys&amp;r2=19">http://www.kscourts.org/rules/Rule-Info.asp?r1=Rules+Relating+to+Discipline+of+Attorneys&amp;r2=19</a></p> <p>Handbook adopting Official Standards and</p>	<p>None</p> <p>Bar Assoc. Utilization Standards</p>	<p>Kansas Bar Association’s Paralegals Committee providing updated information to Kansas Supreme Court regarding regulation in other states.</p> <p>In February, 2008, Kansas paralegal associations presented a voluntary certification program proposal to the Kansas Bar Board of Governors. This is still pending.</p>



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		Guidelines for the Utilization of Legal Assistants/paralegals uses the following definition: A legal assistant or paralegal is a person, qualified by education, training, or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible.		The Kansas Bar Association adopted Official Standards and Guidelines for the Utilization of Legal Assistants/paralegals in Kansas in 2004. Although referenced, the publication link is no longer available on the website.
III	Kentucky	<p>Supreme Court Rule 3.700 defines paralegal as “a person under the supervision and direction of a licensed lawyer, who may apply knowledge of law and legal procedures in rendering direct assistance to lawyers engaged in legal research; design, develop or plan modifications or new procedures, techniques, services, procedures or applications; prepare or interpret legal documents and write detailed procedures for practicing in certain fields of law; select, compile and use technical information from such references as digests, encyclopedias or practice manuals; and analyze and follow procedural problems that involve independent decisions.</p> <p><a href="http://weblinks.westlaw.com/result/default.aspx?cite=UUID%28N91643460A9%2D1D11DA8F5EE%2D32367A250AE%29&amp;db=1006745&amp;findtype=VQ&amp;fn=%5Ftop&amp;pbcd=DA010192&amp;rlt=CLID%5FFQRLT7024110200174&amp;rp=%2FSearch%2Fdefault%2Ewl&amp;r">http://weblinks.westlaw.com/result/default.aspx?cite=UUID%28N91643460A9%2D1D11DA8F5EE%2D32367A250AE%29&amp;db=1006745&amp;findtype=VQ&amp;fn=%5Ftop&amp;pbcd=DA010192&amp;rlt=CLID%5FFQRLT7024110200174&amp;rp=%2FSearch%2Fdefault%2Ewl&amp;r</a></p>	Voluntary Paralegal Certification through Paralegal Association	<p>Certified Kentucky Paralegal Program – launched in Fall 2010. Program details available here: <a href="http://www.kypa.org/CKP.htm">http://www.kypa.org/CKP.htm</a></p> <p>In 1997 the Kentucky Paralegal Association proposed a statewide voluntary paralegal certification exam. The KPA is developing the exam and study materials. Completion of the exam is pending. Successful completion of the PACE or CLA exams will exempt the paralegal from the general knowledge portion of the exam.</p>



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		<a href="http://www.ladb.org/NXT/gateway.dll/rules/ropc2011-09-30.htm">s=WEBL12%2E04&amp;service=Find&amp;spa=KYR%2D1000&amp;sr=TC&amp;vr=2%2E0</a>		
II	Louisiana	<p>Rule 5.3 Responsibilities Regarding Nonlawyer Assistants</p> <p><a href="http://www.ladb.org/NXT/gateway.dll/rules/ropc2011-09-30.htm">http://www.ladb.org/NXT/gateway.dll/rules/ropc2011-09-30.htm</a></p>	Voluntary Paralegal Certification Through Paralegal Association	<p>In 1996, the Louisiana State Paralegal Association developed a statewide voluntary paralegal certification exam. The two-part certification process includes successful completion of NALA's CLA / CP exam as well as the LCP exam.</p> <p><a href="http://www.la-paralegals.org/lcpcertification.html">http://www.la-paralegals.org/lcpcertification.html</a></p>
V	Maine	<p><b>RULE 5.3 Responsibilities Regarding Nonlawyer Assistants</b></p> <p>Does not define paralegals but considers "paraprofessional" as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.</p> <p><a href="http://www.courts.state.me.us/rules_adminorders/rules/MRProfCondONLY1-12.pdf">http://www.courts.state.me.us/rules_adminorders/rules/MRProfCondONLY1-12.pdf</a></p> <p>Chapter 18: Paralegals and Legal Assistants  <b>§921</b> - Definitions  "Paralegal" and "legal assistant" mean a person, qualified by education, training or work experience, who is employed or retained by an attorney, law</p>	None	<p><i>Change to Chapter 18, adding sections 921 and 922 incorporated in Maine statutes in 1999.</i></p>



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		<p>office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which an attorney is responsible.</p> <p><b>§921 - Restriction on use of titles</b>  <b>1. Prohibition.</b> A person may not use the title "paralegal" or "legal assistant" unless the person meets the definition in section 921, subsection 1.  <b>2. Penalty.</b> A person who violates subsection 1 commits a civil violation for which a forfeiture of not more than \$1000 may be adjudged.  [ 1999, c. 379, §1 (NEW) .]</p> <p><a href="http://janus.state.me.us/legis/statutes/4/title4sec921.html">http://janus.state.me.us/legis/statutes/4/title4sec921.html</a></p> <p><a href="http://www.mainelegislature.org/legis/statutes/4/title4sec922.html">http://www.mainelegislature.org/legis/statutes/4/title4sec922.html</a></p>		
IV	Maryland	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers “paraprofessional” as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct.</p> <p><a href="http://www.lexisnexis.com/hottopics/mdcode/">http://www.lexisnexis.com/hottopics/mdcode/</a>  Click on “Agree to terms &amp; conditions of access,” button, navigate to Maryland Rules &gt; Appendix:</p>	None	HB 1029 (defeated 1988) providing for the regulation of paralegal/legal assistant; creating a state regulatory board to review the provision of paralegal/legal assistant services



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		Maryland Lawyers' Rules of Professional Conduct > Law Firms and Associations > Rule 5.3. Responsibilities Regarding Nonlawyer Assistants.		
V	Massachusetts	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers "paraprofessional" as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct. (Identical to ABA Model Rule 5.3)</p> <p><a href="http://www.mass.gov/obcbbbo/rpc5.htm#Rule%205.3">http://www.mass.gov/obcbbbo/rpc5.htm#Rule%205.3</a></p>	None	
III	Michigan	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers "paraprofessional" as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.</p> <p><a href="http://coa.courts.mi.gov/rules/documents/5MichiganRulesOfProfessionalConduct.pdf">http://coa.courts.mi.gov/rules/documents/5MichiganRulesOfProfessionalConduct.pdf</a> (page 67)</p> <p>State Bar of Michigan, Paralegal/Legal Assistant Section: <a href="http://www.michbar.org/paralegal/home.cfm">http://www.michbar.org/paralegal/home.cfm</a></p>	None	
II	Minnesota	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers "paraprofessional" as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are</p>	None	In 1991, as a result of S.F. 520 (Referred to the Committee on Judiciary) relating to legal services; providing for the creation of a state board of specialized legal assistants;



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		responsible for their assistants' conduct.  <a href="http://lprb.mncourts.gov/rules/Documents/MN%20Rules%20of%20Professional%20Conduct.pdf">http://lprb.mncourts.gov/rules/Documents/MN%20Rules%20of%20Professional%20Conduct.pdf</a> (Effective October 1, 2005, with Amendments through July 1, 2011.)		requesting the supreme court to adopt rules governing the delivery of legal services by specialized legal assistants; amending Minnesota statutes 1990 section 481.02, subdivision 3 the Minnesota Legislature enacted Chapter 299, Senate File 520 directing the Supreme Court to undertake a study of regulation of legal assistants. This died in committee.
III	Mississippi	Rule of Professional Conduct 5.3 Does not define paralegals but considers "paraprofessional" as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.  <a href="http://courts.ms.gov/rules/msrulesofcourt/rules_of_professional_conduct.pdf">http://courts.ms.gov/rules/msrulesofcourt/rules_of_professional_conduct.pdf</a> (scroll to rule 5.3)	None	
II	Missouri	Rule of Professional Conduct 5.3 Does not define paralegals but considers "paraprofessional" as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.  <a href="http://www.courts.mo.gov/courts/ClerkHandbooksP2RulesOnly.nsf/c0c6ffa99df4993f86256ba50057dc/b8/f264eb01f0599e3186256ca6005211e3?OpenDocument">http://www.courts.mo.gov/courts/ClerkHandbooksP2RulesOnly.nsf/c0c6ffa99df4993f86256ba50057dc/b8/f264eb01f0599e3186256ca6005211e3?OpenDocument</a>	None	In 2003 the Southwest Missouri Paralegal Association formed a committee to draft a proposal to be presented to the Missouri Bar Association's Paralegal Committee. The Paralegal Committee drafted a proposed court rule for the attorney supervision of paralegals that was rejected by SMPA because they wanted a self-governing rule. The committee is drafting a Code of Ethics and Professional Responsibilities for Paralegals based on the Ethics Code



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		<p>However, Missouri Bar Committee on Paralegals publishes public information guides which define a paralegal as:</p> <p>“...qualified through education, training or work experience, is employed or retained by an attorney, law firm, government agency, corporation, or other entity to perform substantive and procedural legal work under the ultimate direction and supervision of an attorney or as authorized by administrative, statutory, or court authority.”</p> <p>and defines “Paralegal Experience” as: the performance of substantive legal work, non-clerical or non-administrative in nature, that absent a paralegal, an attorney would perform. <i>(Adopted by the Committee on Paralegals of the Missouri Bar, November 9, 2001)</i></p> <p><a href="http://www.mobar.org/ece8dc5c-0293-4990-8f54-be7193f99abe.aspx">http://www.mobar.org/ece8dc5c-0293-4990-8f54-be7193f99abe.aspx</a></p>		<p>followed by the State Bar as well as a proposal outlining education and testing for paralegals.</p> <p>In 1991 the Kansas City Association of Legal Assistants drafted a bill for the State of Missouri Relating to Legal Assistants and independent Legal Technicians and their Role in the Delivery of Legal services.</p>
I	Montana	<p>Rule of Professional Conduct 5.3 Does not define paralegals but considers oversight by attorneys of nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct.</p> <p><a href="http://www.montanaodc.org/Portals/ODC/docs/rules_of_professional_conduct.pdf">http://www.montanaodc.org/Portals/ODC/docs/rules_of_professional_conduct.pdf</a></p>	Statutory Regulation of Paralegal’s Title, Definition, and Inclusion of Paralegal Fees	<p>May 5, 2009 enacted HB 301 – An Act Including Reasonable Paralegal Fees As A Component Of Attorney Fees That May Be Awarded To A Prevailing Party In Certain Cases; Defining "Paralegal"; Amending Sections 25-10-302 And 37-61-215,</p> <p><a href="http://data.opi.mt.gov/bills/2009/billhtml/HB0">http://data.opi.mt.gov/bills/2009/billhtml/HB0</a></p>





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		<p>Montana Code lists the following definition for "paralegal" or "legal assistant"</p> <p>"...means a person qualified through education, training, or work experience to perform substantive legal work that requires knowledge of legal concepts and that is customarily but not exclusively performed by a lawyer and who may be retained or employed by one or more lawyers, law offices, governmental agencies, or other entities or who may be authorized by administrative, statutory, or court authority to perform this work."</p> <p>Montana Code <b>25-10-304. Paralegal fees as component of attorney fees.</b> In any case or proceeding in which attorney fees are awarded to the prevailing party, the court may, as a component of the attorney fees, include reasonable fees of a paralegal, as defined in <a href="#">25-10-305</a>.</p> <p><b>History:</b> En. Sec. 1, Ch. 443, L. 2009.</p> <p>Montana Code <b>25-10-305. Paralegal defined -- use of title.</b> (1) As used in <a href="#">25-10-304</a> and this section, "paralegal" means a person qualified through education, training, or work experience who is employed or retained to perform, under supervision by a licensed attorney, substantive legal work that:</p>		<p><a href="#">301.htm</a></p> <p>In September of 1994, the Montana State Bar Board of Trustees voted to petition Montana Supreme Court to adopt rules regulating paralegals which included education and testing requirements. Supreme Court No. 94-577 was denied</p>



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		<p>(a) requires a substantial knowledge of legal concepts; and</p> <p>(b) in the absence of the paralegal, would be performed by an attorney.</p> <p>(2) An individual may use the title "paralegal" if the individual:</p> <p>(a) has received an associate's degree in paralegal studies from an accredited institution or a baccalaureate degree in paralegal studies from an accredited college or university;</p> <p>(b) has received a baccalaureate degree in any discipline from an accredited college or university and has completed not less than 18 semester credits of course work offered by a qualified paralegal studies program;</p> <p>(c) has received certification by the national association of legal assistants or the national federation of paralegal associations;</p> <p>(d) has received a high school diploma or its equivalent, has performed not less than 4,800 hours of substantive legal work under the supervision of a licensed attorney documented by the certification of the attorney or attorneys under whom the work was done, and has completed at least 5 hours of approved continuing legal education in the area of legal ethics and professional responsibility; or</p> <p>(e) has graduated from an accredited law school and has not been disbarred or suspended from the</p>		



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		<p>practice of law by any jurisdiction.</p> <p>(3) A person may not practice as a paralegal except under the supervision of a licensed attorney and is prohibited from engaging in the unauthorized practice of law.</p> <p><b>History:</b> En. Sec. 2, Ch. 443, L. 2009.</p>		
II	Nebraska	<p><b>§ 3-505.3. of the Nebraska Rules of Professional Conduct</b> does not define the term paralegal, but considers “paraprofessional” as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct.</p> <p><a href="http://www.supremecourt.ne.gov/rules/pdf/Ch3Art5.pdf">http://www.supremecourt.ne.gov/rules/pdf/Ch3Art5.pdf</a></p>	None	
I	Nevada	<p>Nevada Rule of Professional Conduct 5.3 (formerly Supreme Court Rule 186) does not define paralegals, but states that lawyers must directly supervise their assistants and are responsible for their assistants’ conduct. (identical to ABA Model Rule 5.2)</p> <p><a href="http://www.leg.state.nv.us/Division/Legal/LawLibrary/CourtRules/RPC.html">http://www.leg.state.nv.us/Division/Legal/LawLibrary/CourtRules/RPC.html</a></p> <p>State Bar of Nevada Legal Assistants Division:  <a href="http://www.nvbar.org/content/legal-assistants-division">http://www.nvbar.org/content/legal-assistants-division</a></p>	None	<p>In 2001 a Task Force was established by the State Bar of Nevada’s Legal Assistant’s Division to prepare a proposal on a certification program for the state’s legal assistants. No update to proposal or its status available at publication.</p> <p>3/10/93 Assembly Bill 341 defining paralegal as “a person who is not an active member of the State Bar of Nevada and who provides, or holds himself out as providing any form of legal assistance to another person for compensation.” It also provides for a</p>



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				Paralegal Council composed of 5 licensed paralegals, 1 attorney and a representative of the public who would be responsible for administering an examination for the licensing of paralegals.
V	New Hampshire	<p>Rule 35 of the New Hampshire Supreme Court Administrative Rules (Guidelines for the Utilization by Lawyers of the Services of Legal Assistants under the New Hampshire Rules of Professional Conduct) incorporates a comment referring to nonlawyer assistants as those "lay persons often designated as paralegals, legal assistants, law specialists, law clerks, law students, etc."</p> <p><a href="http://www.courts.state.nh.us/rules/scr/scr-35.htm">http://www.courts.state.nh.us/rules/scr/scr-35.htm</a></p> <p>New Hampshire Rules of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.</p> <p><a href="http://www.courts.state.nh.us/rules/pcon/pcon-5_3.htm">http://www.courts.state.nh.us/rules/pcon/pcon-5_3.htm</a></p>	None	2003 - New Hampshire Bill SB83
IV	New Jersey	<p>New Jersey Rules of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.</p> <p><a href="http://www.judiciary.state.nj.us/rules/apprprc.htm#x5dot3">http://www.judiciary.state.nj.us/rules/apprprc.htm#x5dot3</a></p>	None	November 2010: South Jersey Paralegal Association launched a voluntary paralegal certification program bestowing the New Jersey Certified Paralegal (NJCP) credential on those who meet the standard of formal education and/or paralegal experience as



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				<p>outlined in their plan, and who are also members of their association. Continued compliance requires completion of CLE credits, and a biennial renewal. A copy of the plan's guidelines may be found here: <a href="http://www.sipaparalegals.org/documents/NJCP_Plan.pdf">http://www.sipaparalegals.org/documents/NJCP_Plan.pdf</a></p> <p>Complete application documents and a list of NJCP paralegals may be found here: <a href="http://www.sipaparalegals.org/njcertifiedparalegal.php">http://www.sipaparalegals.org/njcertifiedparalegal.php</a></p> <p>In June 2003, the State Bar's Board of Trustees met to discuss a registration proposal from the Bar's Paralegal Committee and ultimately asked the Supreme Court to review and issue a recommendation on the Bar's ability to oversee paralegals.</p> <p>1999: The New Jersey Supreme Court denied a proposal from its special committee calling for the mandatory licensing of paralegals; however, it encouraged local associations to consider the development of a credentialing system.</p> <p><a href="http://www.judiciary.state.nj.us/pressrel/archives/admpara.htm">http://www.judiciary.state.nj.us/pressrel/archives/admpara.htm</a></p>



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				In the early 1990's a state Supreme Court committee called for paralegal licensure but the state bar objected stating that the process was unnecessarily burdensome. In 1998, the New Jersey Supreme Court Committee on Paralegal Education and Regulation issued a report with its recommendations as to goals, standards and ethics for paralegals. The Committee's recommendations were defeated by the Supreme Court in 1999. The Court held that lawyers, not the court, are responsible for supervising paralegals and that any credentialing or standards should be worked out from within the profession.
II	New Mexico	<p>Rule of Professional Conduct 16-503 – Responsibilities Regarding Nonlawyer Assistants – incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.</p> <p><a href="http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&amp;fn=main-h.htm&amp;2.0">http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&amp;fn=main-h.htm&amp;2.0</a></p> <p>(Choose “2011 NMSA 1978,” then click on “NMRA (Unannotated),” and choose “16. Rules of Professional Conduct”, and “5. Law Firms and Associations.”)</p>	Statutory definition and Utilization guidelines	<p>In 2004, the state Supreme Court amended its rules to establish minimum standards for calling oneself a “paralegal” and to discourage disbarred or suspended attorneys along with those not qualified from using the title.</p> <p><a href="http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&amp;fn=main-h.htm&amp;2.0">http://www.conwaygreene.com/nmsu/lpext.dll?f=templates&amp;fn=main-h.htm&amp;2.0</a></p> <p>(Click on 2011 NMSA 1978,” then click on “NMRA (Unannotated),” and choose “20.</p>



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		<p>Rule 20 of Professional Conduct – Rules Governing Paralegal Services outlines all standards with regard to use of paralegals, and includes the following definition:</p> <p>A. a "paralegal" is a person who:</p> <ol style="list-style-type: none"> <li>(1) contracts with or is employed by an attorney, law firm, corporation, governmental agency or other entity;</li> <li>(2) performs substantive legal work under the supervision of a licensed attorney who assumes professional responsibility for the final work product; and</li> <li>(3) meets one or more of the education, training or work experience qualifications set forth in Rule <a href="#">20-115</a> NMRA of these rules; and</li> </ol> <p>B. "substantive legal work" is work that requires knowledge of legal concepts and is customarily, but not exclusively, performed by a lawyer. Examples of substantive legal work performed by a paralegal include: case planning, development and management; legal research and analysis; interviewing clients; fact gathering and retrieving information; drafting legal documents; collecting, compiling, and utilizing technical information to make an independent decision and recommendation to the supervising attorney; and</p>		<p>Rules Governing Paralegal Services")</p> <p>1993 SB 804 proposing to authorize prescribed "legal assistant services" to be delivered directly to the public by nonlawyers. (referred to committee?)</p>



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		representing clients before a state or federal administrative agency if that representation is authorized by law. Substantive legal work performed by a paralegal for a licensed attorney shall not constitute the unauthorized practice of law.		
V	New York	<p><b>New York Rules of Professional Conduct - Rule 5.3: Lawyer's Responsibility For Conduct Of Nonlawyers</b> incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants, and comments refer to assistants as paraprofessionals among other titles.</p> <p><a href="http://www.nysba.org/Content/NavigationMenu/ForAttorneys/ProfessionalStandardsforAttorneys/NYRulesofProfessionalConduct4109.pdf">http://www.nysba.org/Content/NavigationMenu/ForAttorneys/ProfessionalStandardsforAttorneys/NYRulesofProfessionalConduct4109.pdf</a></p>	Statutory licensure bill pending in NY Assembly	<p>2012: Assemblywoman Rivera profiles Bill A0853 in 2011 for consideration in 2012 legislative session. Initial drafting was light on details, but took a unique approach by putting under Education arm of government. Many paralegal associations sought input. Rivera's office reviewed Empire State Alliance of Paralegal Association's position papers on educational standards and paralegal regulation and is still keen on pursuing paralegal regulation, but may be in a future session. A senate sponsor had not been sought at this writing.</p> <p>2010: Empire State Alliance of Paralegal Associations prepares a position paper and proposal for regulation of New York paralegals under NYS Certified Paralegal program:  <a href="http://empirestateparalegals.org/yahoo_site_admin/assets/docs/Paralegal_Regulation_in_NYS_-_092510.61114653.pdf">http://empirestateparalegals.org/yahoo_site_admin/assets/docs/Paralegal_Regulation_in_NYS_-_092510.61114653.pdf</a></p>





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				<p>2006: Empire State Alliance of Paralegal Associations prepared a position paper on paralegal education standards in New York state.</p> <p><a href="http://empirestateparalegals.org/yahoo_site_admin/assets/docs/ESAPA_Paralegal_Education_Position_Paper1.114183058.pdf">http://empirestateparalegals.org/yahoo_site_admin/assets/docs/ESAPA_Paralegal_Education_Position_Paper1.114183058.pdf</a></p> <p>In 1997, the New York State Bar Association had adopted Guidelines for the Utilization of Paralegals/Legal Assistants which included the following definition: A legal assistant/paralegal is a person who is qualified through education, training or work experience to be employed or retained by a lawyer, law office, governmental agency, or other entity in a capacity or function that involves the performance, under the ultimate direction and supervision of, and/or accountability to, an attorney, of substantive legal work, that requires a sufficient knowledge of legal concepts such that, absent such legal assistant/paralegal, the attorney would perform the task.</p> <p>The guidelines can no longer be found on the NY State Bar Association's website.</p>



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III	North Carolina	<p>Under Subchapter G .0100.0101 – Purpose, the following definition of paralegal is found:  “...by identifying individuals who are qualified by education and training and have demonstrated knowledge, skill, and proficiency to perform substantive legal work under the direction and supervision of a licensed lawyer, and including any individual who may be otherwise authorized by applicable state or federal law to provide legal services directly to the public; and to improve the competency of those individuals by establishing mandatory continuing legal education and other requirements of certification.”</p> <p><a href="http://www.ncbar.com/rules/regulations.asp">http://www.ncbar.com/rules/regulations.asp</a></p> <p>North Carolina Rules of Professional Conduct 5.3 - <b>Responsibilities Regarding Nonlawyer Assistants</b> incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants, and comments refers to assistants as paraprofessionals among other titles.</p> <p><a href="http://www.ncbar.com/rules/rules.asp">http://www.ncbar.com/rules/rules.asp</a></p> <p>Established Guidelines for the use of paralegals July 23, 2010:</p>	Voluntary Certification Through State Bar	<p>Plan for Certification was adopted by the North Carolina Bar Association on July 16, 2004 and became effective on October 1, 2004.</p> <p><a href="http://www.nccertifiedparalegal.org/">http://www.nccertifiedparalegal.org/</a></p>



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		<a href="http://www.nccertifiedparalegal.org/guidelines.asp">http://www.nccertifiedparalegal.org/guidelines.asp</a>		
II	North Dakota	<p>North Dakota Rules of Professional Conduct 5.3 - <b>Responsibilities Regarding Nonlawyer Assistants</b> incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants, , but specifically defines Legal assistant as someone who works under the direct supervision of a licensed lawyer and whose work product is the complete responsibility of the attorney.</p> <p>The comments also include guidelines for evaluating education, training and experience of a qualified legal assistant.</p> <p><a href="http://www.ndcourts.gov/court/rules/Conduct/rule5.3.htm">http://www.ndcourts.gov/court/rules/Conduct/rule5.3.htm</a></p>	None	<p>[4] The following guidelines have been recognized as helpful in evaluating the education, training or experience of a qualified legal assistant.</p> <p>1) Graduation from one of the following ABA approved legal assistant/paralegal programs: bachelor's degree, associate's degree, or a post-baccalaureate program. If not ABA approved, graduation from a legal assistant/paralegal program that consists of a minimum of 60 semester credit hours or the equivalent, of which eighteen semester credit hours are substantive legal assistant/paralegal courses.</p> <p>2) A bachelor's degree in any field, and either one-year employer training as a legal assistant/paralegal or eighteen semester credit hours of legal assistant/paralegal substantive courses.</p> <p>3) Successful completion of a national certifying examination that is specifically designed for legal assistants/paralegals and which includes continuing legal education for maintenance of that certification status.</p>



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				4) Seven years or more of experience working as a legal assistant/paralegal who has been employer trained by and under the supervision of a lawyer.
III	Ohio	<p>Ohio State Bar Association – Standards for Paralegal Certification defines a paralegal as: A paralegal eligible for certification is a person, qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs substantive legal work for which a lawyer is responsible.</p> <p><a href="http://downloads.ohiobar.org/pub/PCS_08.pdf">http://downloads.ohiobar.org/pub/PCS_08.pdf</a></p> <p><b>OHIO RULES OF PROFESSIONAL CONDUCT</b>  Rule 5.3 <b>Responsibilities Regarding Nonlawyer Assistants</b> incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants, and comments refers to assistants as paraprofessionals among other titles.</p> <p><a href="http://www.supremecourt.ohio.gov/LegalResources/Rules/ProfConduct/profConductRules.pdf">http://www.supremecourt.ohio.gov/LegalResources/Rules/ProfConduct/profConductRules.pdf</a></p>	<p>Voluntary through State Bar</p> <p>OSBA Certified Paralegal.</p>	<p>The Ohio State Bar Association (OSBA) has established a credentialing program for paralegals. Paralegals interested in earning a certification good for four years must meet educational standards stipulated by the bar association, have sufficient experience and pass an examination. The first exam was offered in March 2007.</p> <p><a href="https://www.ohiobar.org/ForLawyers/Certification/Paralegal/Pages/StaticPage-785.aspx">https://www.ohiobar.org/ForLawyers/Certification/Paralegal/Pages/StaticPage-785.aspx</a></p>
II	Oklahoma	<p><b>Oklahoma Rules Of Professional Conduct</b> Rule 5.3 <b>Responsibilities Regarding Nonlawyer Assistants</b> incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants, and comments refer to assistants as</p>	Paralegal Standards	<p>The Oklahoma Bar Association Legal Assistant Services Committee drafted a legal assistant definition and minimum education and skill standards for legal assistants. The OBA's Board of Governor's</p>



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		<p>paraprofessionals among other titles.</p> <p>Oklahoma Bar Association Board of Governors established a definition for paralegals and minimum qualification standards, and specifically state “legal assistant” and “paralegal” are synonymous.</p> <p><a href="http://www.okbar.org/members/committees/paralegal/standards.htm">http://www.okbar.org/members/committees/paralegal/standards.htm</a></p> <p>Definition:</p> <p><b>Legal Assistant/Paralegal</b> — a person qualified by education, training, or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity who performs specifically delegated legal work for which a lawyer is responsible, and absent such assistant, the lawyer would perform the task.</p>		approved both.
I	Oregon	<p>Rule 5.3 Responsibilities Regarding Nonlawyer Assistants incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. Adopted 1/1/05.</p> <p><a href="http://www.osbar.org/_docs/rulesregs/orpc.pdf">http://www.osbar.org/_docs/rulesregs/orpc.pdf</a></p>	None	In 1991 the Oregon State Bar Task Force on Legal Technicians was formed to recommend the draft plan for the regulatory program for the licensing of paralegals or legal technicians. In 1997 House Bill 3082 was introduced addressing the licensure of paralegals. It was found that the bill was not complete with regard to educational requirements. The bill was amended and



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				<p>resubmitted where it died in committee.</p> <p>SB 379 nonlawyer w/at least four years of experience in Immigration matters to act as an immigration consultant (1993) The bill died in committee.</p> <p>SB 941 providing for the establishment of a State Board of Legal Technician Examiners. The bill died in committee.</p> <p>SB 1068 in the 1991 Regular Session related to legal technicians.</p>
IV	Pennsylvania	<p>Title 204, Chapter 81, Section 4: Rule 5.3. Responsibilities Regarding Nonlawyer Assistants of the Rules of Professional Conduct incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.</p> <p><a href="http://www.pacode.com/secure/data/204/chapter81/s5.3.html">http://www.pacode.com/secure/data/204/chapter81/s5.3.html</a></p>	Voluntary Certification through Keystone Alliance of Paralegal Associations	<p>In April 2008, the Keystone Alliance started offering a voluntary certification program to those individuals who choose to become a Pennsylvania Certified Paralegal and use the designation of Pa.C.P. to provide paralegal employees and employers a benchmark of qualified individuals that are competent to provide legal services under the supervision of an attorney.</p> <p><a href="http://www.keystoneparalegals.org/certification.html">http://www.keystoneparalegals.org/certification.html</a></p>
V	Rhode Island	<p><b>Rule 5.3. Responsibilities Regarding Nonlawyer Assistants</b> - incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.</p>	None	



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		<p>Supreme Court Provisional Order No. 18 was made effective on 2/1/1983, revised 10/31/1990, and revised again on 4/15/2007. It is applicable to the use of Legal Assistants by members of the Rhode Island Bar Association, and defines a legal assistant as: “one who under the supervision of a lawyer, shall apply knowledge of law and legal procedures in rendering direct assistance to lawyers, clients and courts; design, develop and modify procedures, technique, services and processes; prepare and interpret legal documents; detail procedures for practicing in certain fields of law; research, select, assess, compile and use information from the law library and other references; and analyze and handle procedural problems that involve independent decisions. More specifically, a legal assistant is one who engages in the functions set forth in Guideline 2. Nothing contained in these guidelines shall be construed as a determination of the competence of any person performing the functions of a legal assistant, or as conferring status upon any such person serving as a legal assistant.”</p> <p>In addition, enumerated guidelines for the use of legal assistants for attorneys follows at the end of page 194, and continues through to end of page 197.</p>		



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		<a href="http://www.courts.ri.gov/PublicResources/disciplinaryboard/PDF/Article5.pdf">http://www.courts.ri.gov/PublicResources/disciplinaryboard/PDF/Article5.pdf</a> (page numbered 83)		
III	South Carolina	<p>Rule 5.3 of the Supreme Court of South Carolina Rules of Conduct does not define paralegals, but considers “paraprofessionals” as nonlawyer assistants. The rule states that lawyers must direct supervise their assistants and are responsible for their assistants’ conduct</p> <p><a href="http://www.judicial.state.sc.us/courtReg/displayRule.cfm?ruleID=407.0&amp;subRuleID=RULE%205%2E3&amp;ruleType=APP">http://www.judicial.state.sc.us/courtReg/displayRule.cfm?ruleID=407.0&amp;subRuleID=RULE%205%2E3&amp;ruleType=APP</a></p>	None	<p>In 2009, the South Carolina Bar was trying to put forth a proposal for a voluntary paralegal registration process aimed at raising the status of Paralegals, years after a similar proposal was rejected. <a href="#">Click here to view the Task Force's Proposal</a>. (<a href="#">Click here to view PPA's Initial Position Statement</a> submitted to the Task Force on December 11, 2008.) After much consideration, the decision was made to table the proposal for this year, to be examined again at a later date.</p> <p>In 2008, the Paralegal Task Force, formed by the South Carolina Bar to study the possibility of paralegal certification in South Carolina and the parameters thereof, as well as to consider the development of a law office personnel registry to aid law firms in their hiring decisions.</p> <p>In 2003 the South Carolina Alliance of Legal Assistant Associations submitted a proposal for regulation of paralegals to the South</p>





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				Carolina Bar Association's Board of Governors which included a definition, educational standards, code of ethics and guidelines for paralegal utilization. The Bar Association's House of Delegates tabled the proposal. In response to this move, the Bar set up a Task Force to look at the issue of regulation.
II	South Dakota	South Dakota Supreme Court Rule 97-25 (South Dakota Codified Law CHAPTER 16-18 - POWERS AND DUTIES OF ATTORNEYS, Section 34) Definition of legal assistant. Legal assistants (also known as paralegals) are a distinguishable group of persons who assist licensed attorneys in the delivery of legal services. Through formal education, training, and experience, legal assistants have knowledge and expertise regarding the legal system, substantive and procedural law, the ethical considerations of the legal profession, and the Rules of Professional Conduct as stated in chapter 16-18, which qualify them to do work of a legal nature under the employment and direct supervision of a licensed attorney. This rule shall apply to all unlicensed persons employed by a licensed attorney who are represented to the public or clients as possessing training or education which qualifies them to assist in the handling of legal matters or document preparation for the client.	Paralegal Standards	In December 2006, the State Bar submitted proposed changes to SDCL 16-18-34 to the Supreme Court to revise the definition of paralegal and set minimum qualifications for paralegals. The Supreme Court held hearings in 2007 on the proposal, however, the proposal was rejected.  In June 2004 the Legal Assistant's Committee of the South Dakota State Bar submitted a proposal to the Bar for the consideration of the establishment of educational requirements for the state's paralegals.



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		<a href="http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&amp;Statute=16-18-34">http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&amp;Statute=16-18-34</a>  Rule 5.3 - Responsibilities Regarding Nonlawyer Assistants – of the South Dakota Rules of Professional Conduct does not define paralegals, but considers “paraprofessionals” as nonlawyer assistants. The rule states that lawyers must direct supervise their assistants and are responsible for their assistants’ conduct  <a href="http://www.sdbar.org/Rules/rules.shtm">http://www.sdbar.org/Rules/rules.shtm</a>		
III	Tennessee	Rule 5.3 - Responsibilities Regarding Nonlawyer Assistants – of the Tennessee Rules of Professional Conduct does not define paralegals, but considers “paraprofessionals” as nonlawyer assistants. The rule states that lawyers must direct supervise their assistants and are responsible for their assistants’ work product.  <a href="http://www.tba.org/sites/default/files/2011_TRPC_0.pdf">http://www.tba.org/sites/default/files/2011_TRPC_0.pdf</a>	None	HB 1302 and SB 854 established certified paralegal positions in the district attorney’s office. Both bills died in committee in 1995.
II	Texas	In 2005, the State Bar of Texas Board of Directors, and the Paralegal Division of the State Bar of Texas, adopted a new definition for “Paralegal.”  <i>A paralegal is a person, qualified through various</i>	Voluntary Certification through the State Bar of Texas	In 1994 The State Bar of Texas adopted voluntary specialty certification program for paralegals in Texas, structured after the voluntary specialty certification program for attorneys in Texas, which is governed by the



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		<p><i>combinations of education, training, or work experience, who is employed or engaged by a lawyer, law office, governmental agency, or other entity in a capacity or function which involves the performance, under the ultimate direction and supervision of a licensed attorney, of specifically delegated substantive legal work, which work, for the most part, requires a sufficient knowledge of legal principles and procedures that, absent such a person, an attorney would be required to perform the task.</i></p> <p>On April 21, 2006, the State Bar of Texas Board of Directors approved amending this definition by including the following standards, which are intended to assist the public in obtaining quality legal services, assist attorneys in their utilization of paralegals, and assist judges in determining whether paralegal work is a reimbursable cost when granting attorney fees:</p> <p>A. Support for Education, Training, and Work Experience:</p> <p>1. Attorneys are encouraged to promote:</p> <p>a. paralegal attendance at continuing legal education programs;</p>		<p>Texas Board of Legal Specialization. After passing exam, one becomes a Board Certified Legal Assistant – [Area of Law], Texas Board of Legal Specialization</p> <p><a href="http://www.tbls.org/Cert/ParaGetStarted.asp">http://www.tbls.org/Cert/ParaGetStarted.asp</a> x</p>



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		<p>b. paralegal board certification through the Texas Board of Legal Specialization (TBLS);</p> <p>c. certification through a national paralegal organization such as the National Association of Legal Assistants (NALA) or the National Federation of Paralegal Associations (NFPA); and</p> <p>d. membership in the Paralegal Division of the State Bar and/or local paralegal organizations.</p> <p>2. In hiring paralegals and determining whether they possess the requisite education, attorneys are encouraged to consider the following:</p> <p>a. A specialty certification conferred by TBLS; or</p> <p>b. A CLA/CP certification conferred by NALA.; or</p> <p>c. A PACE certification conferred by NFPA; or</p> <p>d. A bachelor's or higher degree in any field together with a minimum of one (1) year of employment experience performing substantive legal work under the direct supervision of a duly licensed attorney AND completion of 15 hours of Continuing Legal Education within that year; or</p> <p>e. A certificate of completion from an ABA-approved program of education and training for paralegals; or</p> <p>f. A certificate of completion from a paralegal program administered by any college or university accredited or approved by the Texas Higher Education Coordinating Board or its equivalent in</p>		



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		<p>another state.</p> <p>3. Although it is desirable that an employer hire a paralegal who has received legal instruction from a formal education program, the State Bar recognizes that some paralegals are nevertheless qualified if they received their training through previous work experience. In the event an applicant does not meet the educational criteria, it is suggested that only those applicants who have obtained a minimum of four (4) years previous work experience in performing substantive legal work, as that term is defined below, be considered a paralegal.</p> <p>B. Delegation of Substantive Legal Work:</p> <p>"Substantive legal work" includes, but is 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; drafting documents, correspondence, and pleadings; summarizing depositions, interrogatories, and testimony; and attending executions of wills, real estate closings, depositions, court or administrative hearings, and trials with an attorney.</p> <p>"Substantive legal work" does not include clerical or</p>		



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		<p>administrative work. Accordingly, a court may refuse to provide recovery of paralegal time for such non-substantive work. <i>Gill Sav. Ass'n v. Int'l Supply Co., Inc.</i>, 759 S.W.2d 697, 705 (Tex. App. Dallas 1988, writ denied).</p> <p>C. Consideration of Ethical Obligations (See Note* below):</p> <p>1. Attorney. The employing attorney has the responsibility for ensuring that the conduct of the paralegal performing the services is compatible with the professional obligations of the attorney. It also remains the obligation of the employing or supervising attorney to fully inform a client as to whether a paralegal will work on the legal matter, what the paralegal's fee will be, and whether the client will be billed for any non-substantive work performed by the paralegal.</p> <p>2. Paralegal. A paralegal is prohibited from engaging in the practice of law, providing legal advice, signing pleadings, negotiating settlement agreements, soliciting legal business on behalf of an attorney, setting a legal fee, accepting a case, or advertising or contracting with members of the general public for the performance of legal functions.</p>		



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		<p>*Note: a more expansive list is included in the "General Guidelines for the Utilization of the Services of Legal Assistants by Attorneys" approved by the Board of Directors of the State Bar of Texas, May, 1993.</p> <p>These standards may be found at <a href="http://www.txpd.org">www.txpd.org</a> and on the Texas Bar's website:  <a href="http://www.texasbar.com/Content/NavigationMenu/ForLawyers/Committees/Paralegal_Committee.htm">http://www.texasbar.com/Content/NavigationMenu/ForLawyers/Committees/Paralegal_Committee.htm</a></p> <p>Rule 5.3 - Responsibilities Regarding Nonlawyer Assistants – of the Texas Rules of Professional Conduct does not define paralegals, but considers “paraprofessionals” as nonlawyer assistants. The rule states that lawyers must direct supervise their assistants and are responsible for their assistants’ work product.</p> <p><a href="http://www.texasbar.com/AM/Template.cfm?Section=Grievance_Info_and_Ethics_Helpline&amp;Template=/CM/ContentDisplay.cfm&amp;ContentFileID=96">http://www.texasbar.com/AM/Template.cfm?Section=Grievance_Info_and_Ethics_Helpline&amp;Template=/CM/ContentDisplay.cfm&amp;ContentFileID=96</a></p>		
II	Utah	<p>Chapter 13 of the Judicial Council Rules of Judicial Administration (Supreme Court Rules of Professional Practice)</p> <p>Rule 5.3 - Responsibilities Regarding Nonlawyer Assistants – of the Texas Rules of Professional</p>	None	In April of 1998 the Licensing of Legal Assistants Committee of the Legal Assistants Division of the Utah State Bar issued a report recommending mandatory licensing of paralegals to include education, attorney supervision and the NALA exam as



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		<p>Conduct does not define paralegals, but considers “paraprofessionals” as nonlawyer assistants. The rule states that lawyers must direct supervise their assistants and are responsible for their assistants’ work product.</p> <p><a href="http://www.utcourts.gov/resources/rules/ucja/ch13/5_3.htm">http://www.utcourts.gov/resources/rules/ucja/ch13/5_3.htm</a></p> <p><a href="http://www.utcourts.gov/resources/rules/ucja/">http://www.utcourts.gov/resources/rules/ucja/</a></p> <p>However, Chapter 14, Section 114 of the Rules Regulating the Utah State Bar, created the Paralegal Division and defines a paralegal as: “A paralegal is a person qualified through education, training, or work experience, who is employed or retained by a lawyer, law office, governmental agency, or the entity in the capacity of function which involves the performance, under the ultimate direction and supervision of an attorney, of specifically delegated substantive legal work, which work, for the most part, requires a sufficient knowledge of legal concepts that absent such assistance, the attorney would perform. A paralegal includes a paralegal on a contract or free-lance basis who works under the supervision of a lawyer or who produces work directly for a lawyer for which a lawyer is accountable.”</p>		<p>the most reliable standard for competency. Licensure of the paralegal profession was never passed into law, however.</p>





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		<a href="http://www.utcourts.gov/resources/rules/ucja/ch14/01%20Integration%20and%20Management/USB14-113.html">http://www.utcourts.gov/resources/rules/ucja/ch14/01%20Integration%20and%20Management/USB14-113.html</a>		
V	Vermont	<p>Vermont Rule of Professional Conduct 5.3 doesn't define paralegals, but states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.</p> <p><a href="http://www.lexisnexis.com/hottopics/vtstatutesconstrules/">http://www.lexisnexis.com/hottopics/vtstatutesconstrules/</a></p>	None	<p>In January of 1994 a house bill (H-727 <a href="http://www.leg.state.vt.us/docs/1994/BILLS/INTRO/H-727.HTM">http://www.leg.state.vt.us/docs/1994/BILLS/INTRO/H-727.HTM</a>) was introduced establishing licensed legal technicians and a governing board which included an exam and educational requirements. Died following referral to Judiciary committee.</p> <p>In January 1994 a senate bill was introduced establishing licensed legal technicians but with a different governing body.</p> <p><a href="http://www.leg.state.vt.us/docs/1994/BILLS/INTRO/S-333.HTM">http://www.leg.state.vt.us/docs/1994/BILLS/INTRO/S-333.HTM</a>)</p>
IV	Virginia	<p>Virginia Supreme Court Rule 5.3 doesn't define paralegals but states that lawyers must directly supervise their assistants are responsible for their assistants' conduct.</p> <p><a href="http://www.vsb.org/docs/2008-09_rules-pc.pdf">http://www.vsb.org/docs/2008-09_rules-pc.pdf</a></p>	Paralegal Standards through Virginia State Bar	<p>In 1994 the Virginia Alliance of Legal Assistant Associations developed and proposed to the Virginia State Bar educational standards and professional responsibility guidelines for legal assistants. These were adopted by the Virginia State Bar in March of 1995.</p> <p><a href="http://www.vaparalegalalliance.org/educational-standards/">http://www.vaparalegalalliance.org/educational-standards/</a></p>



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I	Washington	<p>Washington Rule of Professional Conduct Rule 5.3 (Responsibilities Regarding Nonlawyer Assistants) doesn't define paralegals but states that lawyers must directly supervise their assistants are responsible for their assistants' conduct.</p> <p><a href="http://www.courts.wa.gov/court_rules/?fa=court_rules.display&amp;group=ga&amp;set=RPC&amp;ruleid=garpc5.3">http://www.courts.wa.gov/court_rules/?fa=court_rules.display&amp;group=ga&amp;set=RPC&amp;ruleid=garpc5.3</a></p>	Legal Technician /Limited License Practitioner Rule pending review	<p>2012: Washington State Bar Association proffers a revised version of the Legal Technician Rule (APR 28) submitted by the POLB to the Washington Supreme Court and entitles Limited License Practitioner Rule. Washington Supreme Court due to review in June 2012.</p> <p><a href="http://www.wsba.org/Events-Calendar/2012/February/~media/Files/News_Events/News/LLP.ashx">http://www.wsba.org/Events-Calendar/2012/February/~media/Files/News_Events/News/LLP.ashx</a></p> <p>2011: Washington Supreme Court indicates to the legal community that in June 2012 they will again review the Legal Technician Rule proposed by the Practice of Law Board (POLB) in 2008.</p> <p><a href="http://www.wsba.org/Events-Calendar/2012/February/~media/Files/News_Events/News/LegalTechnicianRule.ashx">http://www.wsba.org/Events-Calendar/2012/February/~media/Files/News_Events/News/LegalTechnicianRule.ashx</a></p> <p>In 2008, the Practice of Law Board (POLB) proposed a Legal Technician Rule. Legal technicians are envisioned to be educated, tested and certified nonlawyers authorized to provide limited legal services in specific areas. The Supreme Court is looking at it</p>



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				<p>and the rule is still pending.</p> <p><a href="http://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/Practice-of-Law-Board/Expanding-Access-to-Law-Related-Services">http://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/Practice-of-Law-Board/Expanding-Access-to-Law-Related-Services</a></p> <p>1997 HB 1451 A bill to license legal assistants was introduced in the legislature but died in subcommittee.</p> <p>In December 2005, the Washington State Practice of Law Board (POLB) drafted a regulation proposal, which the bar's Board of Governors considered in early 2006. The Bar's Board did not endorse the proposal, and it was submitted to the state Supreme Court for consideration. The proposal includes a definition, certification and educational requirements.</p> <p>Practice of Law Board's Recommendation to Supreme Court:  <a href="http://www.wsba.org/Events-Calendar/2012/February/~media/Files/News_Events/News/LegalTechnicianRule.ashx">http://www.wsba.org/Events-Calendar/2012/February/~media/Files/News_Events/News/LegalTechnicianRule.ashx</a></p> <p>Washington State Civil Legal Needs Study:</p>



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				<a href="http://www.courts.wa.gov/newsinfo/content/askforce/CivilLegalNeeds.pdf">http://www.courts.wa.gov/newsinfo/content/askforce/CivilLegalNeeds.pdf</a>  Supreme Court - Limited Practice Rule for Legal Technicians (APR 28) Published for Comments & Comments Received: <a href="http://www.courts.wa.gov/court_rules/?fa=court_rules.commentDisplay&amp;ruleId=154">http://www.courts.wa.gov/court_rules/?fa=court_rules.commentDisplay&amp;ruleId=154</a>
IV	West Virginia	West Virginia Rules of Professional Conduct Rule 5.3 (Responsibilities Regarding Nonlawyer Assistants) doesn't define paralegals but states that lawyers must directly supervise their assistants are responsible for their assistants' conduct.  <a href="http://www.wvdc.org/lawfirms.htm#r53">http://www.wvdc.org/lawfirms.htm#r53</a>	None	January 13, 2010: House Representative Mark Hunt introduced HB 3302 entitled: Certified Legal Assistant Act establishing minimum qualifications for certified legal assistants, and responsibilities of lawyers and certified legal assistants. Referred to Judiciary Committee. View text of introduced bill: <a href="http://www.legis.state.wv.us/Bill_Status/bills_text.cfm?billdoc=hb3302%20intr.htm&amp;yr=2010&amp;sesstype=RS&amp;i=3302">http://www.legis.state.wv.us/Bill_Status/bills_text.cfm?billdoc=hb3302%20intr.htm&amp;yr=2010&amp;sesstype=RS&amp;i=3302</a> Bill died in committee.
II	Wisconsin	<b>SCR 20:5.3 Responsibilities regarding nonlawyer assistants.</b> doesn't define paralegals but states that lawyers must directly supervise their assistants are responsible for their assistants' conduct.  <a href="http://www.legis.state.wi.us/rsb/scr/5200.pdf">http://www.legis.state.wi.us/rsb/scr/5200.pdf</a>	None	April 7, 2008: Wisconsin Supreme Court denied the State Bar paralegal petition which would have established licensure and regulation for paralegals. The court will encourage the Bar to work with other interested groups to consider creating a voluntary certification program using programs currently used in other states as



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		<p>The Supreme Court of Wisconsin took up a petition for a court rule (Rule 23) defining the practice of law at a public hearing on December 10, 2007. Wisconsin Legislative Statute 757.30 adopted a criminal statute for practicing law without being duly licensed, but, did not clearly define what constituted the practice of law. Because of the lack of definition, district attorneys in Wisconsin tend not to investigate or pursue complaints against unlicensed person practicing law. The Supreme Court will discuss this matter and any amendments thereto on March 14, 2008 in an open administration conference.</p>		<p>models. Even though the court denied the petition, the justices emphasized that they recognize the valuable service provided by paralegals.</p> <p>2007: Wisconsin Supreme Court slated to consider the mandatory licensing of paralegals at a hearing on April 7, 2008. The State Bar of Wisconsin is bringing this issue to the Supreme Court based on their Paralegal Practice Task Force Final Report, which was completed in January 2004.</p> <p>2004: Report finalized in January; submitted to State Bar in February; Board of Governors of State Bar petitioned the Supreme Court of Wisconsin to establish a system for the licensure and regulation of paralegals in Wisconsin; Wisconsin Supreme Court held a public hearing on October 27, 2004 regarding the Board of Governor's Petition 04-03; Supreme Court met in open administrative conference on December 16, 2004 to discuss Petition 04-03. The petition for licensure remains on the Court's list of Pending Rules and Petitions.</p> <p>See :</p>



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				<p>Paralegal Task Force Final Report, January 2004  <a href="http://www.wisbar.org/AM/Template.cfm?Section=Search&amp;CONTENTID=50550&amp;TEMP_LATE=/CM/ContentDisplay.cfm">http://www.wisbar.org/AM/Template.cfm?Section=Search&amp;CONTENTID=50550&amp;TEMP_LATE=/CM/ContentDisplay.cfm</a></p> <p>1994 The State Bar of Wisconsin created the Paralegal Practice Task Force to both address concerns expressed over unmet legal needs, and to pursue the State Bar of Wisconsin's Commission on the Delivery of Legal Services recommendations. The Task Force's intent is to "establish criteria for the licensure of paralegals in Wisconsin so as to establish recognized standards of training, education and qualifications that will assure attorneys, consumers and the court that the persons providing paralegal services in the State of Wisconsin have achieved a level of ability that can be measured and recognized."</p>
II	Wyoming	<p>Wyoming Rule of Professional Conduct 5.3 doesn't define paralegals but considers "paraprofessionals" as nonlawyer assistants. The rule states lawyers must directly supervise their assistants and are responsible for their assistants' conduct.</p> <p><a href="http://www.courts.state.wy.us/CourtRules_Entities.a">http://www.courts.state.wy.us/CourtRules_Entities.a</a></p>	None	



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		<a href="spx?RulesPage=AttorneysConduct.xml">spx?RulesPage=AttorneysConduct.xml</a>		

### History:

Revised May 2012, March 2010 by Lisa Vessels, CP, FRP

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