



July 25, 2018

Jessica Watson
Standing Committee on Paralegals
American Bar Association
321 N. Clark Street, 17th Floor
Chicago, IL 60654-7598

RE: Identification of non-attorney legal professionals performing substantive legal work under supervision of licensed attorneys as “Paralegals”

Dear Ms. Watson:

The National Federation of Paralegal Associations, Inc. (NFPA) is a non-profit paralegal professional organization currently representing the largest number of individual paralegal members in the United States. As the premier national paralegal professional organization, NFPA is directed by its membership to be issues-driven and policy-oriented.

The NFPA provides a global presence for the paralegal profession and leadership in the legal community, and it prides itself on the quality and professionalism of its members. As a proponent for the advancement of the paralegal profession, NFPA strives to promote consistency in the competency, skills, ethics, and education of paralegals. To achieve this consistency, NFPA advocates for elimination of ambiguity arising from use of the term “legal assistant” to identify members of our profession and a consistent definition of the term “paralegal.”

One of NFPA’s greatest challenges is to alter the existing perception of paralegals as “legal assistants” or “legal secretaries.” While the professions overlap responsibilities and support attorneys, legal assistants/secretaries perform tasks that are primarily administrative in nature, whereas paralegals perform substantive legal work under the supervision of licensed attorneys. There is a vast difference in the training, education, experience, skills, and responsibilities of the two professions.¹

Currently, the American Bar Association (ABA) defines a paralegal as the following: *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.*

¹ It is not the intention of NFPA to diminish, demean or negate the value of those who perform substantive work under the supervision of licensed attorneys but are still titled “Legal Assistants.” Rather, we want to elevate the profession by advocating that going forward, they be called “paralegals.”

NFPA uses the following definition: *A paralegal is a person, qualified through education, training or work experience to perform substantive legal work that requires knowledge of legal concepts and is customarily, but not exclusively, performed by a lawyer. This person may be retained or employed by a lawyer, law office, governmental agency or other entity or may be authorized by administrative, statutory or court authority to perform this work.*

The ABA's definition of paralegal currently includes the term "legal assistant" which has recently become more equivalent to the term "legal secretary" than it is to "paralegal." Paralegals and legal assistants/secretaries should be recognized as two separate and distinct classifications of non-lawyer professionals, and therefore should be defined individually.

NFPA's goal is to educate the legal community that: (1) the roles of legal assistants/secretaries and paralegals should be kept separate and distinct; and (2) to help the legal community overcome the perception that the terms "legal assistant" and/or "legal secretary" are synonymous with "paralegal." The proposed standardization of the term "paralegal" would be advantageous to attorneys, law firms and their clients by eliminating role confusion in both professions.

In the interest of creating a certain and clear definition of the term paralegal, the NFPA respectfully requests that the ABA remove the term "legal assistant" from its definition of a paralegal. Using both terms interchangeably – legal assistant and paralegal – in its definition creates a confusing ambiguity, and the distinction in the professions is significant. Qualified paralegals who have taken the time to enhance their skills and abilities through education, hard work and diligence should be recognized for the substance and quality of legal services provided to attorneys.

On behalf of NFPA and its members, we thank you for your time and consideration of these comments. We look forward to future discussions with the ABA regarding this issue and to working with the ABA to educate the legal community and the public on paralegals as non-lawyer professionals.

Respectfully Submitted,



Valerie A. Wilus, RP, Pa.C.P.
NFPA President



Lisa Lynch, CRP
NFPA Vice President & Director of
Marketing



Lori J. Boris, RP®, MnCP
NFPA Vice President & Director of
Positions and Issues