

PARALEGAL CREDENTIALS: **Certificated Paralegals – Certified Paralegals**

Is there really a difference? YES, there is!

CERTIFICATED PARALEGALS:

Certificated paralegals earned a certificate upon successful completion of a paralegal program. Education requirements in various paralegal programs vary widely in number of study hours, content, and quality. The ABA endorses paralegal programs with a minimum of 60 semester-hours and discourages short-term certificate programs. Graduates of ABA approved paralegal programs are assured their credentials will be recognized by prospective employers. You can determine if a paralegal program is ABA approved at <http://apps.americanbar.org/legalservices/paralegals/directory/home.html>.

Not all paralegal programs which meet ABA requirements have applied for ABA approval. Methods for evaluating the academic quality of non-ABA approved programs are to either go to that school's website to see if their requirements are posted online, or see if the school is listed with the AAFPE (American Assoc. for Paralegal Education) www.aafpe.org/Directory/index.asp. Institutional Members of AAFPE are either ABA approved or 'in substantial compliance with ABA guidelines and accredited by a nationally recognized accrediting agency.' (Not all programs that meet these requirements are members of AAFPE.) To verify that institutions offering paralegal education programs are accredited by a nationally recognized accrediting agency see the US Dept. of Education's website (<http://ope.ed.gov/accreditation/>).

CERTIFIED PARALEGALS:

Certified paralegals have gone above and beyond the minimum or entry-level educational requirements and have voluntarily taken one or more certification examinations. They have met certain certification requirements and generally

have an advanced level of competency and number of years experience in the profession.

When considering certification, you have options. All have different structures and eligibility requirements, as well as continuing education and re-certification requirements.

NALA Certification (CP/CLA):

The NALA certification exam was established in 1976 to offer a nationwide credential for all paralegals. The original designation earned by passing the exam was the "CLA" or the Certified Legal Assistant designation. Through the years, the term "Paralegal" has replaced "Legal Assistant" and the designation now granted upon successful completion of the examination is "CP". Paralegals who obtained the "CLA" certification years ago may continue to use the "CLA" designation although they now also have the option of using the "CP" designation.

To be eligible for the Certified Paralegal examination, a paralegal must meet one of the following requirements:

1. Graduation from a paralegal program that is:
 - a. Approved by the American Bar Association; or
 - b. An associate degree program; or
 - c. A post-baccalaureate certificate program in paralegal studies; or
 - d. A bachelor's degree program in paralegal studies; or
 - e. A paralegal program which consists of a minimum of 60 semester hours, of which at least 15 semester hours are substantive legal courses.
2. A bachelor's degree in any field plus one year's experience as a paralegal. Successful completion of at least 15 semester hours of substantive paralegal courses will be considered equivalent to one year's experience as a paralegal.

3. A high school diploma or equivalent plus seven (7) years' experience as a paralegal under the supervision of a member of the Bar, plus evidence of a minimum of twenty (20) hours of continuing legal education credit to have been completed within a two (2) year period prior to the examination date.

The Certified Paralegal examination is a two day exam, divided into five sections, as follows:

- Communications (1.5 hours) (Essay required)
- Ethics (1.0 hours)
- Legal Research (1.5 hours)
- Judgment and Analytical Ability (2.0 hours) (Essay required)
- Substantive Law (2.0 hours)

The substantive law section includes five sub-sections. The first section, American Legal System, is mandatory. The applicants also select four of the following sub-sections: Administrative Law, Bankruptcy, Business Organizations, Civil Litigation, Contracts, Criminal Law and Procedure, Estate Planning and Probate, Family Law, and Real Estate

A minimum passing score of 70% is required in each section to earn the Certified Paralegal credential. If less than 70% is scored on one or more sections, those sections can be re-taken; it is not necessary to retake the entire exam.

The Certified Paralegal credential is awarded for a period of five years. To maintain CP status, paralegals must attend a minimum of 50 hours of continuing legal education within each five (5) year period, including five hours on the subject of legal ethics.

NALA Advanced Certified Paralegal (ACP):

The ACP (Advanced Certified Paralegal) certification is offered by NALA only to paralegals that have attained their CP. This program offers advanced certification in specific practice areas as follows: (1) Contracts Management/Contracts Administration, (2) Discovery, (3) Social Security Disability, (4) Trial Practice, (5) Alternative Dispute Resolution, (6) Business Organizations: Incorporated Entities, (7) Trademarks, (8) Personal

Injury, (9) Land Use, (10) Criminal Litigation, (11) Commercial Bankruptcy, (12) Real Estate Principles, and (13) Business Organization: Non-corporate Entities

NFPA Paralegal Advanced Competency Exam (PACE):

The NFPA PACE exam was established in 1996 to test the competency level of experienced paralegals. It is designed for professional paralegals who want to pioneer the expansion of paralegal roles for the future of the profession, not to restrict entry into the profession. Upon successful completion of the exam, one earns the PACE Registered Paralegal (RP) credential.

In order to take the PACE exam one cannot have been convicted of a felony nor be under suspension, termination, or revocation of a certificate, registration, or license by any entity, and must meet one of the following requirements:

1. An associate's degree in paralegal studies obtained from an institutionally accredited school, and/or ABA approved paralegal education program; and six (6) years substantive paralegal experience.
2. A bachelor's degree in any course of study obtained from an institutionally accredited school and three (3) years of substantive paralegal experience.
3. A bachelor's degree and completion of a paralegal program with an institutionally accredited school, said paralegal program may be embodied in a bachelor's degree; and two (2) years substantive paralegal experience.
4. Four (4) years substantive paralegal experience on or before December 31, 2000.

The PACE exam is a four (4) hour exam and consists of the following:

Domain I – Administration of Client Legal Matters: conflict checks; develop, organize and maintain client files; develop and maintain calendar/tickler systems; develop and maintain databases; coordinate client services.

Domain II – Development of Client Legal Matters: client interviews; analyze information; collaborate with counsel; prepare, file and serve legal documents and exhibits;

prepare clients and witnesses for legal proceedings.

Domain III – Factual/Legal Research: obtain factual and legal information; investigate and compile facts; inspect, evaluate and analyze evidence; ascertain and analyze legal authority.

Domain IV – Factual/Legal Writing: communicate with client/counsel; draft legal analytical documents.

Domain V - Office Administration: personnel management; acquire technology; coordinate and utilize vendor services; create and maintain library and legal resources, develop and maintain billing system.

Certification must be renewed every two years and requires evidence of 12 hours of CLE, including one ethics hour, within such two year period.

NFPA Paralegal CORE Competency Exam (PCCE):

The PCCE exam was established by NFPA in 2011 to provide the groundwork for expanding paralegal roles and responsibilities; to provide the public and legal community with a mechanism to gauge the core competencies of paralegals; to be used in states considering the regulation of paralegals; and for potential use by paralegal programs as an exit exam or Assurance of Learning tool. Upon successful completion one earns the CORE Registered Paralegal (CRP) designation.

In order to take the exam, applicants must meet one of the following requirements:

- Bachelor's degree in any subject, plus a paralegal certificate; no experience or CLE required;
- Bachelor's degree in paralegal studies; no experience or CLE required;
- Bachelor's degree in any subject, no paralegal certificate, 6 months experience and 1 hour of ethics taken in the year preceding the exam application date;
- Associate's degree in paralegal studies, no experience or CLE required;
- Associate's degree in any subject, a paralegal certificate, no experience or CLE;
- Associate's degree in any subject, no paralegal certificate, 1 year experience and 6 hours of

CLE, including 1 hour of ethics taken in the year preceding the exam application date;

- Paralegal certificate from a program that meets or exceeds the requirements set forth in NFPA's Short Term Paralegal Program Position Statement, 1 year experience and 6 hours of CLE, including 1 hour of ethics, taken in the year preceding the exam application date;
- High school diploma or GED, 5 years experience and 12 hours of CLE, including 1 hour of ethics, taken within 2 years preceding the exam application date.

The exam is two and one-half hours and consists of the following:

Domain 01: Paralegal Practice – (1) Paralegal Profession, (2) Ethics and Professional Practice, (3) U.S. Legal System, (4) Legal Research, (5) Legal Writing and Critical Analysis, (6) Communication, (7) Law Office Management and Legal Technology, (8) Civil Litigation

Domain 02: Substantive Areas of Law – (1) Business Organizations, (2) Contracts, (3) Criminal, (4) Estates, (5) Wills and Trusts, (6) Family, (7) Real Estate, (8) Torts

NALS

NALS offers a Professional Paralegal (PP) exam and Specialty Certificate Program. The PP was established in 2004 and is a two day exam. The requirements to take the exam are as follows:

- Five years' experience performing paralegal duties;
- Two year waiver for candidates with a paralegal degree;
- One year waiver for candidates with a post-secondary degree, successful completion of PLS exam, or other certification(s)

The exam is one day and covers the following:

Part 1 – Written Communications: Grammar and word usage, spelling, punctuation, number usage, capitalization, composition and expression.

Part 2 – Legal Knowledge and Skills: Legal research, citations, legal terminology, the court system and ADR, and the legal skills of

interviewing clients and witnesses, planning and conducting investigations, and docketing.

Part 3 – Ethics and Judgment: Ethical situations involving contact with clients, the public, coworkers, and subordinates; other ethical considerations for the legal profession; decision-making and analytical ability; and ability to recognize priorities.

Part 4 – All areas of substantive law, including administrative; business organizations and contracts; civil procedure and litigation; criminal, family, real property, torts; wills, trusts and estates; admiralty and maritime; antitrust; bankruptcy; environmental; federal civil rights and employment discrimination; immigration; intellectual property; labor; oil and gas; pension and profit-sharing; taxation; water; workers' compensation.

Recertification is required every five years and requires 75 hours of CLE including 5 ethics hours.

Louisiana Certified Paralegal (LCP):

In addition to national certification, many states offer state-wide certification. The Louisiana State Paralegal Association began offering the Louisiana Certified Paralegal exam in 1996 to demonstrate a comprehensive knowledge and a high degree of proficiency in Louisiana law and adherence to a Code of Ethics.

To qualify to take the examination you must either:

- (1) be a CLA whose credential is current at the time of taking the examination, or
- (2) meet one of the following criteria:
 - Category 1: You must have graduated from one of the paralegal programs that is approved by the American Bar Association or an associate degree program or a post-baccalaureate certificate program in paralegal studies or a bachelor's degree program in paralegal studies or a paralegal program that consists of a minimum of 60 semester hours of which at least 15 semester hours are substantive legal courses.
 - Category 2: A bachelor's degree in any field plus one year's experience as a paralegal.
 - Category 3: A high school diploma or equivalent plus seven years' experience as a paralegal plus a minimum of twenty hours of

continuing legal education completed within a two-year period prior to application for the examination.

The LCP exam is given over a two-day period and tests on three required sections: general law (state court structure, including jurisdiction, and duties of those officials who work inside the court system, etc.); civil procedure, which is much broader in Louisiana than litigation only, although it includes litigation; and Louisiana legal ethics. In addition to the required sections, applicants are required to choose four substantive law topics on which to be tested from a list of eight: property; wills/probate/successions/trusts; criminal law and procedure; evidence; torts; family law; obligations (contracts); and business organizations. In order to earn the right to use the LCP designation, one must also pass the NALA (CLA/CP) Certification Exam.

All Louisiana Certified Paralegals must maintain their NALA Certified Paralegal certification in good standing. To maintain certification as an LCP requires 25 hours of Louisiana substantive and/or procedural law and 5 hours of ethics in each five-year period, which units may, at the discretion of NALA, also fulfill a portion of the fifty hours of continuing legal education required to maintain the CLA.

Is Certification for YOU?

Remember the pride you felt when you graduated from paralegal school? You can experience that again by taking a certification exam. As an affiliated member of NALA, LSPA urges its members to take the NALA CP exam. If you have earned your CP designation, then it's time to consider taking the LCP. Not only will you gain valuable knowledge in preparing for these exams; you have the satisfaction of reaching a new personal and professional goal! Stand a little taller and feel stronger with a new level of personal and professional confidence.

By Deborah P. Fontenot, CP