

## **CAPA CELEBRATES BPC 6450'S 10<sup>TH</sup> ANNIVERSARY**

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On September 10, 2000, Governor Gray Davis signed Assembly Bill 1761 into law. That is the day of the codification of Business and Professions Code 6450, et seq. This particular piece of legislation has been a model for many states, who have taken up the task of defining the paralegal profession in their states. This is an accomplishment that all California Paralegals should be proud of.

### Brief History

The journey began in the 1970's when the paralegal profession was officially born. From its inception, there were many ideas on how to define the profession and the role that a paralegal plays in the legal team. These discussions were carried on until 1999 when Assemblywoman Marilyn Brewer (R) Newport Beach agreed to author CAPA's definition. She introduced it to the Assembly Judiciary on January 13, 2000. It's hard to believe that that was 10 years ago.

### Responsibility

With the passage and codification of AB 1761, came qualifications that must be met. Those qualifications include, in pertinent part, the following:

6450 (a) "Paralegal means a person who holds himself or herself out to be a paralegal, who is qualified by education, training, or work experience, 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."

6450 (c) "A paralegal shall possess at least one of the following:

(1) A certificate of completion of a paralegal program approved by the American Bar Association.

(2) A certificate of completion of a paralegal program at, or a degree from, a postsecondary institution that requires the successful completion of a minimum of 24 semester, or equivalent, units in law-related courses and that has been accredited by a national or regional accrediting organization or approved by the Bureau for Private Postsecondary and Vocational Education.

(3) A baccalaureate degree or an advanced degree in any subject, a minimum of one year of law-related experience under the supervision of an attorney who has been an active member of the State Bar of California for at least the preceding three years or who has practiced in the federal courts of this state for at least the preceding three years, and a written declaration from this attorney stating that the person is qualified to perform paralegal tasks.

(4) A high school diploma or general equivalency diploma, a minimum of three years of law-related experience under the supervision of an attorney who has been an active member of the State Bar of California for at least the preceding three years or who has practiced in the federal courts of this state for at least the preceding three years, and a written declaration from this attorney stating that the person is qualified to perform paralegal tasks. This experience and training shall be completed no later than December 31, 2003.

6450 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 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 certification."

### Education! Education! Education!

It is the responsibility of California Paralegals, to obtain and maintain their MCLE credits. The minimum requirements (4 hours of ethics and 4 hours of generalized or specialized law) must be met by **December 31, 2010**. You can come and join CAPA in its 10 year celebration of Business & Professions Code 6450 et seq. Come earn your MCLE credits and join in the fun of meeting paralegals from throughout the state. For more information please go to [www.caparalegal.org](http://www.caparalegal.org). Hope to see you there.