

## A. A Brief History of the Paralegal Profession

### 1. The Beginnings

The use of specifically educated nonlawyers to assist lawyers in the delivery of legal services is a relatively new phenomenon in the history of American law. The concept is about 50 years old, dating back to the 1960s, when the rapidly rising cost of legal services, combined with the lack of access to legal services for low- and middle-income Americans, caused the government, consumer groups, and the organized bar to take a close look at the way legal services were being delivered.

In response to the unmet need for legal services, the federal government established the Legal Services Corporation to provide funding for legal services to the indigent, low-cost legal clinics started to appear, and prepaid legal plans were developed. Practitioners and the organized bar also attempted to develop alternatives to the traditional practice model that would keep costs down without sacrificing quality. The answers they came up with included better management, increased automation, and the use of **legal assistants or paralegals**.

In 1967, the American Bar Association (ABA) endorsed the concept of the paralegal and, in 1968, established its first committee on legal assistants, which later was made a standing committee of the ABA under the name Standing Committee on Legal Assistants. Its name was changed to the **Standing Committee on Paralegals** in 2003 in recognition of the growing preference for the title "paralegal." During the late 1960s and early 1970s, the ABA and several state and local bar associations conducted studies on the use of paralegals. Many studies showed initial attorney resistance to paralegals, but actual use was on the rise.

### 2. Growth through the 1970s

The first **formal paralegal training** programs were established in the early 1970s. In 1971, there were only 11 programs scattered across the country. In 1974, the ABA adopted guidelines for the paralegal curriculum and, in 1975, began to approve paralegal education programs under those guidelines. There were nine paralegal programs approved that year.

In the mid-1970s, the first professional paralegal associations were formed. Dozens of groups cropped up locally. The **National Federation of Paralegal Associations (NFPA)** and **National Association of Legal Assistants (NALA)** were established. Paralegal educators formed their own organization, the **American Association for Paralegal Education (AAfPE)**. In 1976, NALA established its **Certified Legal Assistant (CLA)** program, a voluntary certification program consisting of two days of examinations covering

judgment, communications, ethics, human relations, legal terminology and research, and analysis, and substantive practice areas selected by the candidate from a list of eight.

In 1975, the federal government recognized the existence of this new occupation by creating a new job classification. States, counties, and cities soon followed suit. In 1978, the U.S. Bureau of Labor Statistics predicted that the paralegal career would be one of the fastest growing occupations through the year 2000.

### 3. New Directions in the 1980s and 1990s

Job opportunities expanded and changed dramatically during the late 1970s and into the 1990s. Although the first paralegals were employed primarily in small law firms and legal aid organizations, large private law firms soon became the biggest employers of paralegals. As a result, large firms and corporate law departments developed paralegal manager and supervisor positions so that the large numbers of paralegals they employed could be effectively deployed. In the 1980s, a group of paralegal supervisors and managers started the **Legal Assistant Management Association (LAMA)**, now known as the **International Paralegal Management Association (IPMA)**.

During the 1980s, paralegals began freelancing, handling specialized matters for attorneys on an as-needed, independent-contractor basis. Some worked alone in a specialized area of practice, such as probate, and others worked for full-service paralegal support companies.

Since the 1980s the United States has experienced tremendous growth for the paralegal profession. Job opportunities have expanded in all sectors of employment. Clients have come to accept paralegals and even to demand that they be included on the legal services delivery team as a way of keeping costs down. Paralegals, like attorneys, have become more specialized, particularly in large law firms, corporate law departments, and government agencies, where most paralegals work in only one area of practice.

Paralegals have been granted recognition by the organized bar and practitioners. Many state bar associations have guidelines for the use of paralegals and established paralegal committees or divisions.

### 4. Into the Twenty-first Century

Estimates vary on the number of paralegals employed in the United States. Most sources indicate that there are more than 200,000. About a thousand paralegal educational programs are operating, nearly 300 of which are approved by the ABA, and about 300 of which are members of the American Association for Paralegal Education. Most surveys show

that well over half of paralegals hold a baccalaureate degree and even more have some formal paralegal education.

Voluntary certification by one of the paralegal associations has gradually become more common. In addition to NALA's program mentioned above, the National Federation of Paralegal Associations (NFPA) has the **Paralegal Advanced Competency Examination (PACE)**, designed to measure the competency of experienced paralegals. The NFPA is an umbrella organization of state and local paralegal associations with more than 50 affiliated local associations, representing about 11,000 paralegals. At the time of this writing, nearly 600 paralegals have earned the Registered Paralegal designation that is granted to those who pass the PACE.

NALA represents more than 18,000 paralegals, including more than 6,500 individual members and about 85 state and local affiliated associations: More than 16,000 paralegals have been certified by NALA. More than 1,900 CLA/CPs have obtained advanced certification.

The International Paralegal Management Association, representing managers and supervisors of paralegals, has about 500 members, local chapters in several major cities across the country, and members in other parts of the world. IPMA leads the way in promoting the expanded and effective utilization of paralegal services.

Another group that includes paralegals is **NALS**, an Association for Legal Professionals. This group was established many years ago as a group for legal secretaries, but in the 1990s changed its name to reflect its changing mission of representing the interests of all people who work in the legal profession. NALS has about 6,000 members but does not track how many of its members are paralegals. It has long offered a certification program for legal secretaries and now also administers a paralegal certification examination called the PP, or Professional Paralegal examination. More than 450 paralegals have passed this examination.

The job market for paralegals vacillates with the ebb and flow of the economy, but overall has continued to grow. Even during the 2009–2010 economic recession, paralegals fared better than lawyers in retaining their jobs or finding new ones. Paralegals have become an expected part of the legal team. Employment opportunities are steady and salaries have increased beyond levels of inflation. However, small law firms still do not employ paralegals to the same degree as large ones, and the ratio of lawyers to paralegals in most firms has stalled at about three or four to one.

Several important trends characterize the paralegal profession at this point in its history. Levels of education for paralegals are increasing every year. Firms often expect a baccalaureate degree and paralegal education. **Certification** and **licensing** and the role of nonlawyer legal service providers continue to dominate the discussion of paralegal professional organizations. Opportunities for growth have been developed in new areas of employment and law practice, and exciting alternative and niche paralegal careers are flourishing. All of these trends point to the maturation and evolution of the paralegal profession.