



Cincinnati Paralegal Association

Guide to Paralegals in Greater Cincinnati

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WHAT IS A PARALEGAL?

The Cincinnati Paralegal Association (CPA) has adopted a formal definition for the term “paralegal”, as follows:

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.

HOW, WHEN AND WHY DID THE PROFESSION DEVELOP?

The paralegal profession began its rapid growth in the late 1960s when lawyers realized that the utilization of paralegal services could increase efficiency and productivity in the law office, thereby helping to reduce legal fees. Although a paralegal may not give legal advice, he or she may perform many of the tasks that traditionally have been performed by lawyers.

WHAT ARE THE ECONOMICS OF EMPLOYING PARALEGALS?

The use of paralegals can produce greater margins of profit for the employer, through increased legal services. The economic advantages of employing paralegals cannot and should not be ignored.

This simple example illustrates the economic advantage of employing paralegals. Assume the total annual cost, including salary, benefits, secretarial support, and office equipment of employing a paralegal is \$60,000. If the paralegal’s time is billed at \$80/hour and he or she works 1,200 hours during the first year of employment, the total income for those billable hours would be \$96,000. By subtracting the total cost of employing the paralegal (\$60,000), the result is a profit of \$36,000 for the law firm. Remember, after the first year of employment, the paralegal becomes more proficient and specialized in a given area. The employment of a paralegal allows the lawyer more time to direct

his/her efforts towards additional clients and complex legal matters. The end results can mean more billable hours and thus greater margins of profit.

Studies and surveys overwhelmingly support the theory that law offices that employ paralegals are more efficient and profitable than those which do not take advantage of the services that paralegals can provide.

WHAT ARE THE EDUCATIONAL REQUIREMENTS FOR PARALEGALS?

Employer requirements vary widely as to the “ideal” educational background for a paralegal. However, current trends indicate that a paralegal should have either: (1) an Associate’s Degree or a Bachelor’s Degree in paralegal studies, or (2) a four-year Degree from a college or university in any discipline plus a certificate or extended study in paralegal courses. Keep in mind that there can be exceptions to the above criteria.

Many paralegal educational programs have received approval from the American Bar Association (“ABA”) because their curricula have met specified ABA Guidelines. Seeking ABA approval is voluntary on the part of the paralegal institution; therefore, non-approval does not necessarily mean that a program is not of good quality.

University degrees are definite assets for paralegals. A paralegal’s proficiency may be enhanced through formal education, thus increasing his/her ability to follow instructions, understand basic legal principles, write and communicate clearly and concisely, attend to detail, and exercise maturity in judgment.

The CPA published a brochure giving information on what a student should look for when registering in any paralegal program. To receive a copy, please call (513) 549-6391, or visit www.cincinnati-paralegals.org.

WHAT ABOUT REGULATION OF PARALEGALS?

The forms of regulation of paralegals generally include registration, certification, licensure and limited licensure.

The CPA set forth its position on the issue of regulation by adopting a formal resolution on May 13, 1992. This resolution supports any regulatory scheme which does not limit or decrease the duties paralegals currently perform, and further reiterates the need to expand the duties for paralegals in the delivery of legal services. Most importantly, the resolution establishes the following educational criteria for the profession:

- (1) Bachelor Degree in Paralegal Studies; or
- (2) Bachelor Degree in another discipline plus a Paralegal Certificate: or
- (3) Bachelor Degree in any discipline plus an internship consisting of a minimum of 150 hours of substantive legal work; or
- (4) Associate Degree in Paralegal Studies plus an internship consisting of a minimum of 225 hours of substantive legal work; or
- (5) Associate Degree in another discipline plus a Paralegal Certificate plus an internship consisting of a minimum of 225 hours of substantive legal work.

PARALEGAL EXAMS/CERTIFICATIONS

Currently there are three national exams that can be taken: the Paralegal Advanced Competency Exam (PACE), the Paralegal CORE Competency Exam (PCCE) and the Certified Legal Assistant (CLA) exam. Upon passing PACE, a paralegal may use the designation "PACE Registered Paralegal" and the credential "RP." Upon passing PCCE, a paralegal may use the designation "CORE Registered Paralegal" and the credential "CRP".

For more information visit NFPA at www.paralegals.org. Paralegals who successfully pass the CLA exam may use the credential "CLA" or "CP." For more information visit NALA at www.nala.org.

The American Alliance of Paralegals Inc., (AAPI) offers paralegal certification based on education and experience. Those paralegals that make application to AAPI and meet specific requirements may use the designation "AACP." For further information visit www.aapipara.org.

Ohio offers a certification through the Ohio State Bar Association. Upon passing the Ohio State Bar Association Exam a paralegal may use the designation "OSBA Certified Paralegal". For more information visit www.ohioabar.org. Kentucky offers a certification through the Kentucky Paralegal Association. Upon passing the Kentucky Paralegal Association Exam a paralegal may use the designation "Certified Kentucky Paralegal" and the credential "CKP". For more information visit www.kypa.

WHAT IS THE SALARY RANGE FOR PARALEGALS EMPLOYED IN THE GREATER CINCINNATI AREA?

Like any other profession, paralegal salaries are dependent upon the employer and the paralegal's education and experience.

A 2012 salary survey of the CPA indicates that paralegals who have a formal education in paralegal studies from a college or university can expect a starting annual salary from \$29,000 to \$29,999, and experienced paralegals in specialized areas often command a salary of \$60,000 or more.

WHAT ARE THE DUTIES, FUNCTIONS, AND ETHICAL CONSIDERATIONS THAT IMPACT PARALEGALS?

Although there is a vast array of employment opportunities available, paralegals are commonly employed by law firms, corporations, and local, state and federal governmental agencies or entities. There are paralegals that work independently, pursuant to administrative, statutory or court authority.

In performing the many tasks paralegals may be assigned by a lawyer, or when working independently of a lawyer, paralegals may not engage in the unauthorized practice of law. For example, they cannot give legal advice, accept or decline cases, set fees or represent clients before courts or administrative bodies unless specifically authorized by a court, statute, administrative rule or regulation.

On May 10, 1995, the CPA adopted its *Code of Ethics and Professional Responsibility* by which its members are guided.

The following pages set forth the many legal disciplines in which paralegals are employed and delineates a representative sample of the duties and responsibilities paralegals assume in the delivery of legal services. You will quickly realize how extensively the profession has developed, how diverse it has become, and how significantly the role of the paralegal has changed since the 1960's.

GENERAL TASKS

- Conduct interviews with clients to gather background information
- Correspond with clients, counsel, and others on factual matters
- Inform client periodically of case/matter status
- Draft pleadings and documents
- Organize and maintain forms and client files
- Index or summarize documents or transcripts
- Assemble and analyze records from courts or agencies relevant to a case or client
- Prepare clients for court hearings
- Assist in administering law library
- Review legal periodicals and material relevant to a specialty area of law
- Maintain current binders of court rules
- Maintain calendar or tickler system
- Research law, including procedural, administrative, or case law
- Keep track of and report any pending legislation that may affect clients

ADMINISTRATIVE LAW

- Use on-line legal research to gather statutes, precedents, and other relevant information and perform data analysis
- Citation completion and verification using federal and state reporter systems and online research
- Analyze and identify legal issues
- Research, evaluate and interpret records and documents to determine accuracy of cited references used to support statements made in briefs and pleadings
- Create and revise table of contents and table of authorities to briefs where necessary using proper Supreme Court style and rules
- Support other organizations with legal research and information gathering
- Convert draft Supreme Court briefs to a file format acceptable for camera-ready copy for printing purposes.
- Draft and prepare pleadings, discovery, trial documents, and evidence; including affidavits, interrogatories reports, exhibits, charts, metrics, monetary computations, memoranda, and statistical analysis
- Draft correspondence in response to inquiries from Agencies, Lawyers, heirs and other interested parties
- Organize and analyze legal documents, records and other evidence and discovery
- Interview witnesses to assist in determining fact of case
- Assist in processing, reviewing, and clarifying requests for disclosure under the Freedom of Information Act (FOIA)
- Assist an Administrative Law Judge at hearings, including, but not limited to, preparing and briefing witnesses, handling exhibits, and recording testimony
- Oversee a high volume case load involving sensitive data
- Track and maintain progress of all cases in a multi-agency database

BANKRUPTCY

- Formulate strategies to initiate legal actions and negotiate settlements among debtors, creditors and/or trustees
- Draft adversary complaints and all accompanying pleadings
- Investigate values of personal and real properties listed on debtor's petitions
- Draft motions to sell properties; motions to compromise
- Draft applications to employ various professionals and for compensation of same
- Draft subpoenas and assist in the examination of the debtors and documents produced
- Review proofs of claim and draft objections to same
- Draft petitions and other related pleadings and documents
- Interview clients to determine assets and liabilities and secure information necessary to draft schedules
- Confirm amounts owed to creditors and verify dates incurred
- Identify secured and unsecured claims of creditors
- Check UCC filings
- Check real property records and delinquent taxes
- Identify exempt property
- Maintain contact with client/debtor and verify compliance with "Instructions to Debtors" notice
- Answer inquiries of creditors on status of the case
- Communicate with bankruptcy trustee and comply with requests
- Set up timetable for filings and hearing dates and attend hearings with lawyer
- Determine if alternatives are available to client
- Draft schedules and file the petition and schedules with the court
- Draft applications and orders relating to enforcement of stay, restraining sales, reinstatement of utility service, venue, avoiding liens, approving reaffirmation or redemption, abandonment, attorneys' fees, etc.
- Draft pre-filing letters to creditors

- Draft objections when Motion to Allow Claims is filed
- Notify employer of payroll deduction
- Appear at Section 341 hearing
- Draft additional applications regarding fees, creditors, conversion, dismissal, etc.
- Interview client to obtain information for filing petition and schedules
- Give client written lists of documents needed, i.e. tax returns, certificate of title, life insurance, liabilities, and so forth
- Arrange for appropriate UCC filings and real property searches, appraisals, and so forth
- Familiarize client with general procedures at bankruptcy court hearings, meetings, and motions
- Draft and file proofs of claim
- Meet with clients for execution of documents
- Draft, serve and file debtor's monthly financial statements in Chapter 11 cases
- Draft and file attorney's fees applications
- Attend Chapter 13 Plan confidential hearing
- Maintain log to check off discharge and status of bankruptcy
- Draft judgment searches for appropriate offices
- Review clerk's docket and claims register

See also Civil Litigation.

CIVIL LITIGATION

- Maintain office docket for cases keeping date deadlines (e.g., appeal time, statute of limitations) and a general calendar for times and dates of court appearances, depositions, etc.
- Conduct legal and medical research, including electronic research
- Interview and retain expert witnesses
- Draft questions for depositions
- Schedule, review and write summaries of depositions; schedule court reporter
- Draft interrogatories, answers to interrogatories, document requests

- Maintain library of forms and research (court forms, sample pleadings)
- Maintain binders of court rules
- Research facts as to witnesses, police reports, etc.
- Correspond with doctors, insurance companies, opposing counsel, etc.
- Inform client as to status of case
- Check courthouse filings and public records
- Interview clients and witnesses
- Maintain tickler system for pleadings, appeals etc.
- Draft pleadings and motions; including Complaint/Answer
- Obtain proof of damages; calculate damages
- Draft and index exhibits
- Ensure that all exhibits are properly entered
- Subpoena witnesses and serve subpoenas
- Assist at trial
- Aid in jury selection
- Take notes as to the contents of the record
- Draft releases, settlement documents, entries of dismissal or satisfaction
- Assist with preparation of post-trial briefs and motions
- Design, monitor and maintain databases
- Generate database reports for discovery purposes
- Electronic Discovery
- Electronic Filing
- Conduct or supervise fact investigation
- Examination premises, locations, and objects; take notes and photographs
- Coordinate projects
- Arrange for outside investigator
- Draft deposition questions and prepare deposition outline
- Review and assemble documents to be used in deposition
- Prepare witnesses for deposition
- Arrange for court reporter and determine need for computerized transcript
- Attend depositions, take notes, and organize exhibits
- Maintain personal injury plaintiff file including contact with carrier, client, health care provider, and employer
- Index and summarize depositions and exhibits
- Follow up after depositions, and index deposition exhibits
- Obtain, review and analyze medical records
- Do medical research
- Compile records of patent of product, history, and information regarding similar products
- Conduct medical and technical literature searches, i.e., analysis of mats and preparations of report synopsis
- Attend, supervise, or monitor product, accident or vehicle inspection
- Obtain, review, and organize damage information; calculate damages (medical costs, lost wages, and property damages); prepare, maintain, and update damage summaries.
- Prepare settlement brochures in personal injury cases. (Involves assembling information on the history of plaintiff, the nature and effect of injuries, defects of products in product liability cases, and damages.)
- Obtain factual information regarding products, companies, individuals from various government agencies, resource facilities, and so forth
- Analyze and summarize factual information
- Prepare medical notebooks
- Prepare statistical and factual memoranda
- Prepare market surveys and gather industry statistics
- Draft affidavits
- Arrange for extensions of time by telephone, letter, and/or motion
- Draft demand letters, subpoenas, and commissions to take out-of-state depositions
- Trace documents and other physical evidence
- Develop information retrieval systems, including computerized systems
- Supervise computerized or other system
- Draft legal memoranda and/or briefs
- Review briefs for accuracy of factual information

- Check cites and/or Shepardize and proofread briefs
- Coordinate arrangements with local vendors regarding equipment, space, and supply requirements, and coordinate witnesses and experts, especially in out-of-town trials
- Prepare, organize, and mark trial exhibits
- Prepare exhibit list and monitor exchange of exhibits
- Prepare trial notebooks and witness files
- Draft list of documents and testimony to use in impeaching opposition witnesses
- Draft pretrial statements and settlement conference memoranda
- Obtain jury list and biographical information on jurors
- Draft jury instruction and voir dire
- Conduct teleconferences to schedule court appearances
- Develop "dossiers" on adverse experts
- Coordinate witness attendance at trial
- Prepare charts, graphs, and demonstrative exhibits for use at trial
- Attend trial, noting developments of case, and reactions of jurors, witnesses, and opposing counsel during trial
- Maintain list of exhibits as mentioned, offered, admitted, or objected to
- Draft cost bill
- Prepare settlement calculations
- Prepare comparative analysis of terms for potential settlement agreements
- Attend settlement conferences with attorney and client
- Draft settlement documents, including releases and dismissals
- Draft notice of appeal
- Prepare record on appeal
- Organize appendix for appeal brief
- Order hearing transcripts and prepare recap or outline of transcripts
- Set up time for filings
- Prepare releases, settlement documents, and entries of dismissal or satisfaction

See also Medical Malpractice, Personal Injury, Products Liability, and other applicable sections.

COLLECTIONS

- Draft pleadings and monitor cases
- Verify entry of judgment in court
- Certify judgment to county court where debtor owns property
- Investigate public records of assets, including real estate records and prior judgments, utilizing the internet and public record databases
- Verify employment
- Draft and file garnishments, executions, judgment debtor examinations, mechanic's liens, etc.
- Maintain tickler system for sending garnishment notices, re-filing of certificate of judgment, etc.
- Keep record of court costs and amounts collected
- Review documents the client provides
- Conduct asset investigation
- Draft demand letter to debtor
- Draft summons and complaint
- Draft motions for or in opposition to summary judgment, including memoranda, and affidavits in support
- Draft judgment, cost bill, and other supporting pleadings
- Draft notice of demand to pay
- Draft, file and serve documents for Judgment debtor examination
- Appear in court at hearing for initial claim of plaintiff
- Draft, have issued, and serve writ of garnishment
- File request for dismissal form
- Draft, have issued, and serve order to release garnishment
- Draft, have issued, and serve order of examination
- Appear in court and conduct examination
- Draft, have issued, and serve writ of execution
- Arrange for indemnity bond from sheriff
- Maintain communication with sheriff about levy on personal property
- Prepare bid and attend sheriff's sale of real property
- Obtain certified copy of judgment transcript

- Transfer judgment transcript to a different court
- Obtain exemplified copy of foreign judgment
- Prepare affidavit for transfer of a foreign judgment
- Register judgment in a different state
- Prepare and file satisfaction of judgment

CORPORATE

- Check availability and reserve corporate name with appropriate Secretaries of State
- Draft pre-incorporation and closed corporation agreements
- Draft and record Articles of Incorporation or Organization and other documents for profit and non-profit corporations, limited liability companies, family limited partnerships, and other business organizations
- Draft Bylaws/Code of Regulations and Operating Agreements
- Draft minutes of incorporator's meetings, resolutions and consents to action of shareholders and board of directors
- Maintain corporate seal, minute book and stock certificate book
- Draft stock certificates and share subscriptions
- Draft certificates of authority for foreign corporation
- Obtain certificates of good standing and continued existence
- Draft registration statements/reports of sale of equity securities
- Draft and send waivers and notice of meetings
- Draft IRS Form 2533 Election by a Small Business Corporation
- Draft employment contracts, shareholder agreements, confidentiality/non-compete agreements, leases, stock option plans, closing plans, letters of intent, acquisitions, medical reimbursement plans, profit sharing and pension plans
- Maintain tickler system for annual filings
- Obtain state and federal employer identification numbers

- Secure licenses and permits for corporations, e.g., liquor, health department and building permits
- Assist in research of Blue Sky requirements
- Prepare for closing as to mergers and acquisitions
- Prepare for closing as to sale of securities
- Apply for state and federal service marks and trademark applications
- Review SEC record, UCC lien, due diligence and title searches
- Draft/file insider-trading reports with the SEC
- Perform research and review legislative reporting
- Process international filings
- Entity Formation and Dissolution
- Prepare necessary documents for opening of corporate bank account
- Notify State Tax Commission of stock book location
- Prepare and file DISC election
- Complete and file application for Unemployment Insurance
- Complete and file application for Employer Withholding Tax Registration
- Draft response to auditor's request for information
- Prepare and file annual reports
- Draft notices, proxy materials, ballots, affidavits of mailing, agendas for annual meetings and special meetings
- Draft resolutions to be considered by directors
- Draft oaths and reports of judges of election for annual meeting
- Draft written consents in lieu of meetings
- Draft stock option plan, maintain stock option registers and related charts
- Collect information, draft documents and correspondence necessary to adopt qualified profit-sharing and pension plans and related trust agreements and other documents – submit such materials to IRS for determination letters
- Draft lease agreements
- Draft Articles of Merger or Consolidation, Plan of Merger or Consolidation

- Draft closing checklists and closing memoranda
- Perform due diligence investigation
- Compile and index documents in corporate transactions
- Draft partnership agreements and amendments
- Draft statements of partnership and certificates of limited partnership
- Draft certificates of amendment to certificates of limited partnership
- Prepare and publish Notice of Substance of Certificates of General and Limited Partnership
- Draft non-competition agreements for selling partners
- Draft and publish Notice of Termination of Partnership (or Continuation of Successor Business)
- Draft and file trade name documents and amended trade name documents
- Draft analysis in connection with tax planning and draft state and federal tax returns and prepare for audit
- Prepare necessary documents to amend and restate Articles of Incorporation and amend bylaws
- File and terminate UCC Financing Statements with state and county offices
- Prepare and file DBAs, certificates of trade names and certificate of assumed names with the appropriate state office
- Prepare reports to the Securities and Exchange Commission (SEC) and New York Exchange
- Attend corporate meetings
- Prepare and maintain corporate records of subsidiaries, along with minutes of all incentive compensation plan committees
- Maintain and file Abandon Property reports (escheat laws) with all states
- Prepare Blue Sky survey and Blue Sky forms and other documentation relating to public and private sale of securities
- Prepare Summary Plan Description

CRIMINAL LITIGATION

- Investigate facts relating to prosecution or defense
- Draft for preliminary hearing or grand jury presentation

- Draft charges or plea for arraignment
- Gather information for plea bargaining
- Check courthouse records
- Draft and answer interrogatories
- Interview witnesses for trial
- Schedule and digest depositions
- Prepare exhibits
- Assist at trial
- Draft sentencing information and work with probation officers
- Work with Parole Board
- Assist with preparation of post-trial briefs and motions
- Maintain tickler system for pleadings, appeals, etc.

DOMESTIC RELATIONS/FAMILY

- Conduct initial interview with client to identify non-legal problems that could be referred to other agencies
- Collect background information on client including marriage certificates, sources of support, residence, assets, liabilities, number of children, etc.
- Determine if grounds for divorce or dissolution exist
- Participate in discussions of other remedies, including counseling, separation, reconciliation, etc.
- Draft petition, affidavits, separation agreements, decree, and other filings if a dissolution is being filed
- Draft complaint for divorce, affidavits and other filings if a complaint is being filed
- Determine support needs and draft motions
- File pleadings with the court and set hearings
- Complete court questionnaire
- Arrange for service of defendants
- Maintain contact with the client at all times and handle calls from client when legal advice is not needed
- Obtain settings for court hearings
- Help client prepare monthly income and expense sheet
- Arrange for appraisals of real property and personal property
- Draft subpoenas and arrange for service

- Schedule expert witness interviews and appearance at trial
- Obtain information for discovery, organize, categorize, and determine completeness of discovery
- Draft proposed stipulations
- Draft petition for adoption, consent for adoption, and decree of adoption
- Draft petition for name change
- Draft initial or responsive pleadings; check on service of process, and draft any necessary motions for service
- Explain paralegal responsibilities to the client
- Draft pendente lite motions
- Prepare file and client for pendente lite hearing
- Help client complete expert adult abuse petition; arrange for service; arrange docket hearing date; prepare client and file
- Draft interrogatories; docket when answers are due; review answers; highlight answers that seem questionable or questions that have been objected to; forward to responsible attorney
- Set depositions; have subpoena duces tecum served; arrange for court reporter; attend depositions, if necessary; make sure court reporter is paid; prepare deposition summaries
- Use custodians through use of subpoena duces tecum to acquire records; arrange for service of process
- Use public information sources to get information
- Arrange for private investigators
- Prepare request for admissions; docket when responses are due and follow up
- Preview incoming discovery requests; docket response deadlines; compile answers and documents; draft necessary answers
- Interview witnesses and serve subpoenas
- Investigate law and arrange for expert witnesses
- Keep track of client fee balance
- Prepare for trial including reviewing file for problems and drafting amended pleadings if necessary
- Issue trial subpoenas to witnesses, arrange service, and file return of service
- Update discovery
- Prepare proposed order
- Organize trial exhibits and prepare exhibit list
- Have charts, graphics, blow-ups, and so forth prepared
- Keep client informed
- Prepare compliance with applicable pre-trial order
- Discuss courtroom etiquette with client and witnesses
- Prepare attorney's fee exhibit with estimated total cost through end of trial
- Notify witnesses of status of trial date and have them "on call."
- Assist attorney at trial
- Manage file at trial
- Assist attorney in settlement discussions
- Keep track of exhibits introduced and admitted at trial
- Take notes at trial
- Testify about discovery or summary evidence
- Investigate opposing sides' unknown witnesses
- Coordinate post-trial follow up including making sure all files are brought back to office after compliance with order and inform attorney of any non-compliance
- Draft motion for new trial or to amend the judgment
- Prepare QDROs and get them approved by all interested parties and attorneys
- Draft and file necessary garnishments, writ of execution, or wage assignments
- Make sure money judgments are paid timely and partial/full satisfaction of judgments are drafted and filed
- Draft motion for contempt and show cause orders
- Assist in appeal process including drafting notices of appeal and statement of case
- Order legal file and transcript
- Prepare legal file
- File record on appeal
- Draft necessary requests or motions
- Prepare file and summary for settlement conference with appellate judge

- Prepare file and evidentiary exhibits for oral argument
- Drive clients to and from trial and/or hearings

Refer to Civil Litigation for other duties.

EMPLOYEE BENEFITS

- Draft profit-sharing, money-purchase, and other benefit plans
- Draft corporate action adopting plans
- Consult with business managers and actuaries to determine contribution and benefit formulas
- Draft schedules showing maximized employer contributions
- Draft summary plan descriptions
- Summarize plan provisions and operation of plan for corporate officers
- Submit descriptive documents to Department of Labor
- Qualify plans with IRS
- Draft IRS forms and statements
- Contact reviewing agents
- Maintain records of plans currently under review
- Update minute book upon receipt of determination letters
- Maintain system of form files for pattern plans and common amendments
- Amend plans as instructed by lawyer in charge or pursuant to discussions with employers and business managers
- Qualify amendments with IRS and give appropriate notice to Department of Labor
- Advise business managers and employers concerning proper application of plan provisions
- Terminate plans and qualify terminations with IRS and Pension Benefit Guaranty Corporation
- Draft notices to employees regarding significant changes in plans
- Draft summary of amendments required by new legislation and assemble list of plans requiring such amendments
- Review non-standard plans and recommend revisions
- Keep up to date with laws affecting employee benefits

ENVIRONMENTAL LAW

- Review state and federal compliance regulations
- Review client's procedures to confirm compliance with legislation
- Collect background information on companies
- Investigate real estate tracts
- Investigate various industries and their products
- Gather records from governmental agencies including OEPA, USEPA, and OSHA
- Retain and work with expert witnesses
- Review environmental case law
- Conduct legal research
- Review trade journals, technical magazines, websites and books for industries similar to clients'
- Draft and file permits to operate (PTO) and supporting documents
- Review analytical data

ESTATE PLANNING

- Interview clients and obtain information for evaluation of estate plan
- Review client's existing documents and any trusts created by others for benefit of client or family members
- Review and summarize existing insurance policies
- Following consultation and direction from attorney, draft wills, codicils, trust agreements and amendments thereto
- Monitor gifts to irrevocable trusts and draft Crummey letters and waivers to beneficiaries
- Draft health care directives
- Draft documents and assist with effectuating transfer of assets into trusts
- Draft and record powers of attorney, deeds, memoranda of trust and other recordable instruments
- Review state and federal tax law
- Analyze investments for estate planning
- Prepare Application for Letters and Refusal of Letters

- Prepare other needed petitions; i.e. application for widow's allowance, authority to erect grave marker, and so forth

See also Probate.

IMMIGRATION

- Draft non-immigrant visa petitions and supporting documentation
- Draft immigration waivers and other forms of relief
- Draft support letters and affidavits; petition forms
- Assist with preparation of labor certification petitions
- Assist with preparation of permanent residency petitions
- Organize and finalize petitions
- File documents with Citizenship and Immigration Services
- Obtain passports and visas for international travel
- Draft documentation for asylum or refugee claims
- Process consular requirements
- Interview clients to obtain background information
- Function as liaison between clients and attorneys
- Maintain tickler system for timely filing of extensions, petition, and applications
- Obtain and coordinate documents in support of applications and petitions
- Coordinate translation of foreign documents
- Coordinate equivalency evaluations of foreign degrees
- Research immigrant and nonimmigrant visa alternatives
- Obtain monthly visa numbers from the State Department and update tickler system
- Research availability of foreign documents and assist clients in obtaining them
- Coordinate certification of foreign documents

INTELLECTUAL PROPERTY

- Search trademark registrations in the U.S. Patent and Trademark Office (USPTO) and various state agencies to determine if the desired name is available for adoption and use
- Draft, file and monitor trademark applications
- Draft responses to office actions
- Review *Official Gazette* for publication of applications and/or conflicting trademarks
- Draft oppositions to conflicting trademarks
- Docket dates for Affidavits of Use (after 5 years of registration) and renewals (after 10 years of registration)
- Draft Affidavits of Use and file with the U.S. Patent and Trademark Office (USPTO)
- Draft renewal applications (after 10 years of registration)
- Search patent registrations in the U.S. Patent and Trademark Office (USPTO)
- Assist in drafting of patent applications, drawings, blueprints, etc.
- Docket dates for maintenance of patents (methods, design, plant)
- Draft license agreements for trademarks, patents, copyrights
- Draft and file copyright applications in Copyright Office (compilations, collections, derivative works)
- Assist auditors in evaluation of company's intellectual property
- Draft exhibits listing intellectual property for due diligence examinations
- Develop and implement policies for protection of trade secrets
- Assist client's technology group to research domain name conflicts
- Prepare patent and/or trademark status summary reports
- Maintain docket system for due dates for responses, renewals, opposition, Section 8 and 15 filings, use affidavits, and working requirements

- Maintain docket system for payment of patent annuities in foreign counties
- Draft response to trademark examining attorney's official action
- Draft registered user agreements
- Draft power of attorney
- Research procedural matters, case law, and unfair competition matters
- Search prior art, patents, and trademarks
- Communicate with foreign trademark attorneys and agents about registrations, officials' actions needing response, and trademark services
- Maintain files of new products and invention development
- Review patent filings with engineers
- Draft licenses/agreements regarding proprietary information/technology

See also Products Liability.

LABOR AND LABOR RELATIONS

- Conduct employment law research including case law
- Obtain governmental records under the Freedom of Information Act
- Assist in trial and arbitration preparation
- Digest and summarize depositions
- Draft pleadings and motions
- Draft affidavits
- Research proposed arbitrators
- Maintain document control
- Interview clients and witnesses
- Conduct statistical analysis
- Draft affirmative action plans
- Draft employee handbook and plant rules
- Assist at union elections
- Research labor unions
- Draft exhibits
- Draft and answer interrogatories
- Retain and work with expert witnesses
- Draft and serve subpoenas
- Participate in fact finding proceedings

LANDLORD/TENANT

- Interview client and record pertinent information

- Identify and refer non-legal problems to proper agencies and contact agencies on behalf of clients
- Maintain calendar for deadlines and court filings
- Visit residence to verify and document problems
- Investigate city and county records to determine owner and past violations or complaints
- Review lease, rent receipts and eviction notices
- Draft Notice to Leave the Premises, Complaint, Requests for Service and Praecipe for Writ of Restitution
- Draft and file pleadings with court
- Notify client of hearing date(s)
- Obtain service on defendant
- Maintain contact with client as to status of proceedings
- File for judgment and assist with collection

MEDICAL MALPRACTICE

- Contact lawyers, hospitals and doctors to obtain medical records
- Review medical records for potential areas of liability
- Conduct medical research
- Interview doctors, nurses, and hospital personnel
- Obtain and consult with expert physicians
- Draft a fact memorandum which summarizes and evaluates investigation
- Attend medical arbitration hearings with lawyer

See also Civil Litigation and Personal Injury.

MUNICIPAL LAW

- Formulate, compose, edit, and analyze legislation, related legal documents, and materials including ordinances, resolutions, contracts, deeds, easements, notes, mortgages, and bond and note issues

- Draft and review pleadings, briefs, and memoranda for trial and appellate courts, administrative boards, agencies and commission proceedings
- Research, identify and incorporate applicable charter, local, state and federal laws and regulations
- Research, identify and incorporate state and federal constitutional mandates into legislative process, legal proceedings and other legal and administrative processes
- Act as liaison with governmental departments and division supervisory personnel to initiate, inform and verify specific criteria and standards required for legislative process and legal proceedings
- Process and research claims, citizen inquiries, and interdepartmental matters through written and oral communications
- Monitor changes in statutory and case law relating to, or impacting upon, municipalities and governmental operations

PERSONAL INJURY

- Aid in investigation of accident, including photographs of accident site; obtaining copies of police reports and information on witnesses
- Obtain medical records from medical providers
- Summarize medical records and draft chronology of treatment
- Conduct medical research
- Contact client regularly for treatment status updates
- Inform insurance adjusters of status of client treatment and amount of special damages
- Arrange for independent medical examination
- Obtain and consult with experts

See also Civil Litigation and Medical Malpractice.

PROBATE

- Interview clients to obtain information to administer estate
- Assist in identifying and locating next of kin and will beneficiaries
- Assist in collection and valuation of estate assets
- Accompany fiduciary and estate representative to bank for removal of will from safety deposit box and inventory contents
- Draft and file probate documents in the administration of the estate or to relieve the estate from administration
- File death benefit claims
- Obtain tax releases, as necessary
- Notify beneficiaries and next-of-kin regarding the admission of the will and probate hearings
- Administer estate accounts and assist with investment
- Transfer and/or liquidate estate assets and assist with transfer of non-probate assets
- Draft and file decedent's final income tax return
- Draft and file state and federal estate tax returns
- Draft and file state and federal fiduciary income tax returns
- Draft documents and assist in land sale proceedings
- Draft documents to approve distribution of wrongful death settlements
- Assist in ancillary administrations
- Participate in administration of guardianships and trusts, including preparation and filing of inventories and accountings
- Assist with name changes and adoption proceedings
- Prepare and maintain a calendar system
- Publish notice to interested persons
- Collect information and/or assets for preparation of inventory and tax returns
- Evaluate assets (date of death and alternate valuation date)
- Draft inventory

- Review creditors' claims
- Maintain financial records of estate
- Surrender insurance policies
- File life insurance claims and other death benefit claims
- Verify bank balances
- Draft accountings
- Draft distribution schedule
- Draft closing documents
- Draft court documents for conservatorship
- Draft accountings for conservatorship
- Draft federal and state tax returns for conservatorship
- Act as liaison with probate referee and probate court
- Arrange for real property appraisals

See also Estate Planning.

PRODUCTS LIABILITY

- Research and compile records on products, trademarks, patents and copyrights
- Compile records from federal and state agencies regarding regulations, industry standards, etc.
- Obtain information and samples of similar products and competitors' products for comparison
- Set up displays, exhibits, charts, models, diagrams and visual aids; assist video experts
- Search and gather information about products appearing in magazines, articles, books, reports, studies, product advertisements

See also Civil Litigation and Intellectual Property.

PROSECUTORIAL/GRAND JURY PROCEEDINGS

- Investigate facts and law to identify appropriate charges to draft criminal cases for Grand Jury presentation
- Conduct background checks through RCIC/NCIC (Regional/National Crime Information Centers)
- Research, compile, and verify public records and other documents

- Interview police officers and/or civilian witnesses
- Research, compile and analyze legal sources and notify chief prosecuting attorneys and local Clerk of Courts of changes in statutory laws
- Draft and file necessary pleadings and other court documents
- Draft and review reports relevant to Grand Jury process and coordinate Grand Jury proceedings
- Establish and maintain liaison with police departments and other governmental agencies
- Represent office on task forces and system wide committees
- Act as a source of procedural guidance for prosecuting attorneys, support staff and other agencies

REAL ESTATE - RESIDENTIAL and COMMERCIAL/FORECLOSURES

- Interview client and obtain basic information
- Conduct title search of county records
- Draft abstract of title and opinion
- Arrange for purchase of title insurance
- Assist client in obtaining mortgage financing or refinancing
- Review mortgage applications
- Record mortgages, releases, and other documents with county offices: Recorder, Clerk of Court, Auditor, Secure Transactions Division and Probate Court
- Organize tax receipts and calculate property taxes for closing
- Draft and file complaint regarding real estate taxation with auditor
- Draft and file real property taxation exemption forms
- Draft property tax returns
- Draft purchase and sale agreements, assignments, and addendums thereto
- Draft deeds, promissory notes, mortgages, releases, escrow agreements, occupancy agreements, affidavits, partnership certificate and agreements
- Draft and review lease agreements, amendments, etc.

- Arrange for closing date and notify all parties concerned
- Assist at closing
- Draft and organize closing books and documents
- Draft complaint, answer, and subsequent pleadings for foreclosure proceedings
- File foreclosure documents with Clerk of Courts
- Order foreclosure report
- Review foreclosure report with respect to priority of lienholders and determine parties to be served
- Draft foreclosure complaint
- Draft trustees notice of sale and arrange for publication
- Prepare and serve trustees notice of sale on grantors subsequent lien creditor
- Draft motion and support documents for summary judgment
- Draft motion and order for default
- Draft decree of foreclosure
- Record all proofs of service, affidavits of mailing, and publication prior to sale
- Check for federal tax liens 30 days prior to sale
- Draft and serve notice of nonjudicial sale on IRS if appropriate
- Draft bid sheet for sale
- Draft deed in lieu of foreclosure
- Attend sale
- Draft post-sale documents, including motion for writ of assistance
- Appear at time and place set for sale to postpone sale
- Draft and record trustees deed after sale
- Draft and record notice of maritime lien
- Draft complaint, satisfaction, and decree for foreclosure of maritime lien
- Draft correspondence to occupants giving notice to vacate
- Draft complaint in forcible detainer action to remove occupants
- Take possession, satisfy, and transmit promissory note and original deed of trust to trustee
- Draft subdivision, condominium, and timeshare registrations for in-state and out-of-state registrations

- Draft registrations of recreational subdivisions for federal registrations
- Prepare quit claim deeds or other documents for transfer of ownership of property
- Negotiate title insurance coverage
- Arrange for the purchase of title insurance

SECURITIES

- Draft registration statement and prospectus
- Organize filing the registration statement
- Draft 1934 Act Reports
- Draft questionnaire for officers, directors, and principal shareholders
- Draft promissory notes
- Draft underwriting agreements
- Draft trust indentures
- Draft bond purchase agreement
- Draft Blue Sky Memoranda and Blue Sky Registration
- Review status of Blue Sky application
- Draft Legal Investment Survey
- Notify State Securities Administrators of SEC effectiveness
- Draft and file dealer and/or salesmen registration documents
- Perfect securities dealer or issuer exemptions
- Prepare memoranda on the availability of exemptions and requirements (if any) for registration
- Draft and file docs for registering broker/dealers/salesmen WITH NASD, SEC, and state securities commissions
- Prepare NASDAQ and National Market System listing applications
- Draft and file documents for renewing or withdrawing the registration of broker/dealers with salesmen
- Qualify dealer corporations where applicable
- Draft Forms 3, 4, 8-K, 10-K, 10-Q
- Draft Form D
- Draft Form 144 and related documentation
- Draft lease agreement, loan agreement, agreement of sale, facilities financing agreement ordinance/contracts

- Draft letter of transmittal and other tender offer documents
- Draft Indenture
- Draft confidential offering memorandum
- Draft security agreements including deeds, guaranties, and mortgages
- Review bond purchase agreement or underwriting agreement
- Draft summaries of documents for use in preparing Preliminary Official Statement and Official Statement
- Coordinate accuracy of the statements with underwriter
- Finalize basic documents and distribute for execution
- Draft necessary resolutions authorizing the issuance of the Bonds
- Send bond form to printer
- Proof first galley of the bonds and check manufacturing schedule, coupon amounts, and CUSIP numbers
- Check bonds at time of closing and read bond numbered 1. Draft closing papers for issuer including authorizing resolutions, authentication order to trustee, incumbency certificate, non-arbitrage certificates, and CUSIP numbers
- Draft company authorizing resolutions and Officers' Certificates
- Prepare tax election (if applicable) and arrange for appropriate filing
- Draft recording certificate
- Draft financing statements
- Obtain certificates from state agencies re: good standing of company and certified corporate documents
- Attend closing, checking all certificates and opinions, insurance policies, and legal descriptions
- Compile the closing transcript, prepare index and organize closing binders
- Draft regulation of public companies
- Prepare drafts of proxy and proxy statements
- Draft annual report to shareholder

TAX

- Maintain records and draft tax returns for: corporate income, franchise, individual income, partnership income, estate, estate income, gift, etc.
- Draft supporting documents for tax returns
- Assist in gathering information for audits and reviews

WORKERS COMPENSATION

- Draft and file applications, appeals, bills, letters, affidavits and motions with Bureau of Workers' Compensation (BWC)
- Monitor and manage files through all claim stages
- Maintain a tickler system
- Work with client/employer's actuaries in exercising cost control measures
- Conduct interviews and conferences with clients
- Review BWC files and maintain contact with BWC
- Correspond with clients, physicians and employers
- Research claim options
- Keep abreast of changes in procedures and regulations
- Assist lawyer at BWC hearings

In addition to the foregoing, paralegals are employed in other legal specialties, including administrative law, adoption, antitrust, civil rights, construction law, juvenile delinquency, marine admiralty, paternity, public and private securities, social security, unemployment compensation and welfare benefits.

Depending upon the employer and the working environment, paralegals may also be required to perform some of the following office management and administrative tasks:

- Maintain office tickler system and individual lawyer's calendar
- Maintain office bookkeeping/accounting records (e.g. client billings, staff time sheets, tax returns, budget analysis, payroll, etc.)
- Monitor the law library; update loose-leaf services and keep lawyer informed of legal publications
- Oversee use, maintenance and purchase of office equipment

- Assist in design and implementation of office procedures
- Train staff regarding office procedures
- Supervise personnel
- Draft office reports
- Assist with office management
- Interview prospective employees

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