

PROFESSIONAL CREDENTIALS

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Presently, there is no mandatory certification examination for paralegals anywhere in the United States, however, the certification issue has been a subject of considerable interest and debate for the past several years among paralegal associations, bar associations and some legislatures. For a variety of reasons, some of these organizations are opposed to certification while others support it.

The only state that currently regulates paralegals directly is California, which adopted regulation in 2000 that requires persons using the titles “paralegal,” “legal assistant,” and similar titles to meet certain educational/experiential qualifications and to meet continuing education requirements. The only states that have voluntary certification sponsored by the state bar association are Ohio, Texas and North Carolina.

The following voluntary credentials allow paralegals in this region to substantiate their education, experience and dedication to the profession.

The **American Alliance of Paralegals, Inc. (AAPI)** has established a voluntary program for certification of paralegals consisting of and incorporating educational and experience criteria which are validated through the submission of an application, an affidavit and college transcripts. Every paralegal seeking American Alliance certification must possess no less than five years of substantive paralegal experience and meet one of the following three educational criteria:

- A bachelor or advanced degree in any discipline from an accredited institution; or
- An associate degree in paralegal studies from an ABA approved paralegal program or a program in substantial compliance with ABA guidelines; or
- A certificate from an ABA approved program or a program in substantial compliance with ABA guidelines.

Eighteen hours of continuing legal education, including three hours of ethics, are required every three years to maintain the credential. A paralegal receiving this certification is an American Alliance Certified Paralegal and is entitled to use the credential “AACP” after his or her name. For more information, please visit AAPI’s website at www.aapipara.org.

The **National Federation of Paralegal Associations, Inc. (NFPA)** offers the Paralegal Advanced Competency Exam (PACE). To qualify, the paralegal cannot have been convicted of a felony nor be under suspension, termination, revocation of a certificate, registration, or license by any entity. Requirements for a paralegal to take PACE also include work experience and education, which are:

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

The PACE exam requires a four hour computerized exam at an independent testing center. Those who pass PACE and maintain the continuing education requirement may use the designation “PACE Registered Paralegal” or “RP.” To maintain the RP credential, twelve hours of continuing legal education is required every two years, with at least one hour in legal ethics. For more information, please visit the NFPA’s web site at www.paralegals.org.

NFPA also offers the Paralegal Core Competency Exam™. The PCC™ Exam was developed to assess the knowledge, skills and ability of early-career and entry-level paralegals. It became available in November of 2011. The handbook is available as a PDF download. The exam is administered by computer at Prometric Test Centers throughout the United States and Canada. For full details, please refer to the brochure at www.paralegals.org.

The application fee is \$215, payable by credit card (only) through the application website. You have 90 days to take the test from the date your application is accepted. To comply with the Americans with Disabilities Act (ADA) and Title VII of the Civil Rights Act, special testing accommodations will be considered for individuals with disabilities recognized by the ADA. Appendix D of the handbook contains a form for these requests.

Scoring runs for the exam are processed quarterly, with individuals receiving their certificates and score reports approximately six to eight weeks after the scoring run is processed. The next scoring run is July 2012.

On June 11, 2011, 188 paralegals took the Paralegal CORE Competency Exam pilot test at 12 test sites across the country. Of the paralegals who completed the test, 146 achieved a passing score of 550 or better. Those paralegals are the very first CORE Registered Paralegals™ and have earned the right to use the **CRP™** credential. Additional questions may be directed to pcce@paralegals.org.

The **Ohio State Bar Association (OSBA)** established a credentialing program for paralegals in 2007. Individuals who meet the definition of paralegal, meet the eligibility requirements and pass a written exam will be designated as an "OSBA Certified Paralegal." This credential, along with a logo, may be used by the paralegal as permitted by the Rule for the Government of the Bar. The program is patterned after the legal specialization program the OSBA administers. Eligibility requirements for this certification are:

- **Definition**

Applicant must meet the definition of a paralegal and be eligible to sit for the written exam after successfully meeting requirements for education, experience, continuing legal education and references. The OSBA definition of a 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 substantive legal work for which a lawyer is responsible."

- **Education/experience**

- A bachelor's degree in any discipline and satisfactory completion of a paralegal studies program and a minimum of one year full-time experience as a practicing paralegal (or its equivalent 2,000 hours); **OR**
- A bachelor's degree in any discipline or associate degree in paralegal studies with a minimum of three years full-time experience as a practicing paralegal (or its equivalent of 6,000 hours); **OR**
- Satisfactory completion of a paralegal studies program with a minimum of five years full-time experience as a practicing paralegal (or its equivalent of 10,000 hours); **OR**
- A high school diploma or equivalent plus seven years full-time experience as a practicing paralegal (or its equivalent of 14,000 hours). To be eligible under this section, an applicant must have been employed as a paralegal before Dec. 31, 2006.
- For purposes of this section, "paralegal studies" is defined as a program that consists of a minimum of 60 semester hours (or equivalent clock or quarter hours) of which at least 15 semester hours (or equivalent clock or quarter hours) are substantive legal courses.

Attendance at a minimum of 12 credit hours of continuing legal education in courses approved by the Ohio Supreme Court Commission on CLE or the National Association for Legal Assistants or the National Federation of Paralegal Associations in the three years **immediately preceding the application**. At least two and a half credit hours of the 12 shall be in legal ethics, professionalism and substance abuse.

A minimum of three professional references, including two from attorneys in good standing with the Supreme Court of Ohio who have direct knowledge of the applicant's skills and work as a paralegal. The other reference may include judges, magistrates, hearing officers, mediators, arbitrators and educators who have direct knowledge of the applicant's skills and work as a paralegal.

The applicant seeking certification must pass a written examination of suitable length and complexity. The written exam will include substantive and procedural law, legal research, ethics, communication, and law office management. General testing competencies include critical and analytical thinking, communication (both oral and written), and computer skills.

A Paralegal Certification Board has been established with members appointed by the OSBA president. The purpose of the OSBA Paralegal Certification Board is to grant, revoke or re-grant certification as an OSBA certified paralegal. The Certification Board determines eligibility, administers the written exam and sets passage rates.

Applications will be available after Jan. 1 each year. For more information, call Melissa Quick at (800) 282-6556 ext. 4411 or visit www.ohiobar.org.

The **National Association of Legal Assistants (NALA)** began sponsoring a certification examination called the Certified Legal Assistant (CLA) exam in 1976. The CLA examination is a two day comprehensive examination based on federal law and procedure. Successful completion of the exam entitles a paralegal to use the credential "CLA" (Certified Legal Assistant) or "CP" (Certified Paralegal) after his or her name. To be eligible for the CLA examination, a legal assistant must meet one of the following alternate requirements:

- Graduation from a legal assistant program that is:
 - Approved by the ABA; or
 - Associate degree program; or
 - A post-baccalaureate certificate program in legal assistant studies; or
 - A bachelors degree program in legal assistant studies; or
 - A legal assistant program which consists of a minimum of sixty semester hours of which at least fifteen semester hours are substantive legal courses.
- A bachelors degree in any field plus one years experience as a legal assistant.
- A high school diploma or equivalent plus seven years experience as a legal assistant under the supervision of a member of the Bar, plus evidence of a minimum of twenty hours of continuing legal education credit to have been completed within a two year period prior to the examination date.

NALA also offers advanced specialty exams and recently announced a major overhaul of the specialty certification process and the end of the "CLAS" (CLA Specialist) designation. The Certified Paralegal exam is computer based and available in all ACT testing center locations - over 250 universities, community colleges and private testing centers. To obtain a specialty credential, participants must first hold the CLA/CP credential. NALA introduced an internet based certification program as well as a new specialty designation, the "APC" - Advanced Paralegal Certification. The specialty certification format is an online, learn as you go curriculum and assessment process designed to meet the demands of employers of specializing paralegals: to train paralegals to learn/enter a new area of practice, and to solve logistical issues surrounding examination sites and times by delivering the program online. For information on the exam, test dates, eligibility requirements and more, please visit NALA's website at www.nala.org.

The purpose of the **Kentucky Paralegal Association's Certified (KPA) Paralegal Program** is to implement Kentucky Supreme Court Rule 3.700 for paralegals in Kentucky by establishing a procedure for paralegal certification, which will promote competence and high standards of professional responsibility, including the Kentucky Paralegal Association's Paralegal Professional Standards of Conduct. This is accomplished by setting minimum training, work experience, and education requirements for eligibility to be a designated Certified Kentucky Paralegal. The ultimate purpose of this self-regulation program is to improve the quality of legal service in Kentucky and make it more readily available to the public. Certification of qualifications and commitment to high professional and ethical standards by paralegals will lead to appropriate recognition of the substantial and essential contribution paralegals make to the provision of legal services in Kentucky.

▪ **Eligibility to sit for the exam**

The minimum education requirements for eligibility to take the CKP examination are:

- Graduation from an ABA approved course of paralegal studies (Official transcript required); or
- Graduation from a paralegal course of study which is not ABA approved, but is in substantial
- compliance with ABA approval guidelines (Official transcript required); or
- Graduation from an appropriately accredited college or university with a bachelor's degree in any field (Official transcript required) plus one (1) year of paralegal work experience verified by the supervising lawyer (on form provided with application); or.
- As of the date of application, a minimum of 5 years work experience as a paralegal performing substantive legal tasks under the supervision and direction of a licensed attorney. Said experience must be attested to by the paralegal's supervising attorney (on form provided with application) and
- Verified by the Kentucky Paralegal Association Certification Committee.
- Any person with a minimum of five (5) years of verifiable work experience as a paralegal will be given constructive credit for the education requirements. Intent to seek constructive credit must be submitted to the CKPP, Inc., on a form provided by the CKPP, Inc. within 18 months of the administration of the first CKP examination, or such constructive credit will be waived by the applicant.
- Applicants must submit documentary verification of completion of education and work experience requirements.
- KPA membership is not required to sit for the exam but, once certified, KPA membership is **required** to maintain CKP status.

The CKP examination consists of 40 true/false or multiple choice questions on the subject of Ethics. A minimum passing score of 70% is required to earn the Certified Kentucky Paralegal credential. Candidates are asked to demonstrate knowledge of the Kentucky Paralegal Association Paralegal Professional Standards of Conduct which include an understanding of ethical responsibilities in the performance of services provided when assisting lawyers and their clients.

Study guide material is provided on the Web at <http://www.kypa.org> at no cost. There will be a "Study Session" at the KPA Annual Conference for those who wish to discuss the exam prior to the test date. Any paralegal who meets the qualifications specified above may seek certification by applying to take the required exam on the form "Application for Certification as CKP."

The CKP exam will be administered a minimum of two times annually. Testing dates, venue and times for 2011 will be posted on the KPA Website no later than February 1, 2011.

Notification of exam results will be issued by the CKPP, Inc. to the applicant within forty-five (45) days of the exam. The KPACC will then issue an official certificate entitling the qualifying paralegal to use the title "Certified Kentucky Paralegal" or "CKP." Once certified, the designation of "Certified Kentucky Paralegal" or "CKP" may be used on business letterhead and business cards. A roster of all current CKP's will be maintained on the KPA website and names will be posted for public viewing.

A CKP must earn a minimum of eight (8) credit hours of KPA approved CPE annually which must include two credit hours of the Paralegal Professional Standards of Conduct.

The annual CPE requirement is based on a calendar year and must be completed by December 31 of each report year.

A CKP must renew their membership with the Kentucky Paralegal Association no later than February 1st of the following year to maintain their CKP status. For those persons who are joining the KPA in tandem with registering to take the CKP exam, or immediately following notification of a passing test score, membership will last from November 2010 until January 2011.

For more information regarding the CKP examination, please e-mail the Kentucky Paralegal Association Certification Committee (KPACC) at kpacc@insightbb.com