

PARALEGALS TODAY

Paralegals: Creating a Better Understanding of an Evolving Profession

by José Pedro Santos
& Deborah M. Brook

As an organization devoted to the development of the paralegal profession in the Greater Cincinnati area, the Cincinnati Paralegal Association (CPA) is delighted to be able to present a series of articles in the *CBA Report* about the utilization of paralegals in various fields of practice. In this, our 20th anniversary year, CPA members are more than ever focused on educating the public at large, as well as the legal community, about the value of paralegal services.

While the CPA holds high regard for all members of the legal profession, we are especially proud of the niche paralegals have carved. Originating more than 30 years ago when the American Bar Association formed a Standing Committee on Legal Assistants to develop, encourage and increase the training and utilization of non-lawyer assistants, the paralegal profession still lacks a clear definition. Often there is confusion about the difference between "legal assistants" and "paralegals." For quite a few years, the terms were synonymous. However, with the advent of political correctness, legal secretaries across the nation began to refer to themselves as legal assistants, a term traditionally reserved for paralegals in some parts of the country.

The higher education achieved by paralegals, as well as their billable time and their usually-exempt classification as employees, are key factors in determining the difference between self-proclaimed legal assistants and the legitimate paralegals. It is unfortunate and confusing that employers may label their paralegals and other employees with any title they may deem appropriate within their organizations. Consequently, until regulation is estab-



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lished, (i.e., certification, licensure or local ruling) the confusion will continue. This will keep impacting the public at large, who may fall prey to scams by individuals who are involved in the unauthorized practice of law.

As a profession, the functions of a paralegal are defined most specifically in terms of the three primary activities a paralegal cannot perform, namely, give legal advice, represent clients in court or set legal fees. Working under the supervision and ultimate responsibility of an attorney, paralegals are routinely entrusted with substantive legal work in a myriad of different forms. The upcoming series of articles will clarify the role of the paralegal as it relates to various areas of law and illustrate the value of paralegals to the legal profession.

Additional information about paralegals and the paralegal profession can be found at the CPA website, www.cincinnati-paralegals.org. ■

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