



**The Maryland Association of Paralegals, Inc.**  
Charter Member of the National Federation of Paralegal Associations

## **Position Statements**

On November 17, 2011, the Board of Directors of the Maryland Association of Paralegals, Inc. ("MAP") adopted the following position statements with respect to Qualifications Standards for Paralegals in the State of Maryland, Short-Term Paralegal Programs, and Disqualification Criteria for Paralegals.

It is the intent of MAP's Board of Directors in adopting these position statements that they serve as a guide to paralegals seeking or holding paralegal positions in Maryland. It is also the intent of MAP's Board of Directors in adopting these Minimum Qualification Standards that they serve as a guide for Maryland attorneys, corporations, governmental entities, and all other entities who utilize the services of paralegals.

While MAP recognizes the fact that some attorneys/employers still refer to some paralegals as "legal assistants", generally in Maryland the term 'paralegal' refers to an individual with more education and/or experience than a 'legal assistant'. MAP prefers to use the term 'paralegal.' Any individual being referred to as 'legal assistant', who possesses the credentials of a paralegal (as outlined below), should adhere to the standards set forth herein.

## Position on Qualification Standards for an Entry Level Paralegal

### Educational Requirements

An individual entering the paralegal profession or being considered for an entry-level paralegal position should possess:

- a. A high school diploma, or equivalent, PLUS a paralegal certificate; or,
- b. A Paralegal Certificate from an American Bar Association (“ABA”) approved school/program; or,
- c. An Associate’s degree in Paralegal Studies; or,
- d. A Bachelor’s degree in Paralegal/Legal Studies; or,
- e. A Bachelor’s degree in any subject and a Paralegal Certificate from an institutionally accredited school (as hereinafter defined).

### Experience Requirements

In-house training and/or work experience without any formal paralegal education does not adequately prepare an individual to enter the paralegal profession. In-house training and/or work experience tend to teach individual or office preferences rather than actual proper procedures. Therefore, MAP recommends that, absent the educational requirements listed above, that all paralegals entering the field pass one of the two nationally certified entry-level paralegal exams, NFPA’s Paralegal Core Competency exam (“PCC”) or the National Association of Legal Assistants, Inc. (“NALA”) Certified Legal Assistant/Certified Paralegal exam (“CLA/CP”), to ensure that the paralegal is competent and understands the ethical obligations and professional responsibilities of a paralegal in the profession today.

A paralegal education program that has been approved by the ABA or that falls under the requirements of the [ABA Paralegal Guidelines](#) provides an individual entering the paralegal profession with a solid foundation on which to build a career in the paralegal profession without yet having the experience; therefore, MAP recommends that, absent a program that falls under the guidelines of an ABA-approved paralegal program, all paralegals entering the field should pass one of the two nationally certified entry-level paralegal exams (PCC or CLA/CP Exams) that are available upon graduation.

**Ethics:** MAP recommends that, beginning one year after an individual qualifies by virtue of these standards, he/she shall obtain one continuing legal education (CLE) credit annually of ethics in order to maintain professional competence and continued compliance with the ethical obligations and professional responsibilities of a paralegal.

**CLE:** MAP recommends that practicing paralegals complete 12 hours of continuing legal education every two years, including at least one hour of ethics per year.

## **Position on Qualification Standards for a Skilled and Experienced Paralegal**

### **Education and Experience Requirements:**

A qualified, skilled and experienced paralegal is a person who meets one or more of the following standards:

- A. Any individual who has successfully completed the NFPA's Paralegal Advanced Competency Examination (PACE®) and is in good standing as a PACE® Registered Paralegal; **OR**,
- B. Any individual who has successfully completed at least one of the entry-level paralegal certification exams (NFPA's PCC Exam or NALA's CLA/CP Exam) and is in good standing within their certification requirements, **AND** has at least two consecutive years of substantive paralegal experience subsequent to passing the exam; **OR**,
- C. Any individual who has a Bachelor's degree **AND** completed an ABA approved paralegal program with an institutionally accredited school (said paralegal program may be embodied in a Bachelor's degree) **AND** two consecutive years of substantive paralegal experience; **OR**,
- D. Any individual who has a Bachelor's degree in any course of study obtained from an institutionally accredited school **AND** three consecutive years of substantive paralegal experience; **OR**,
- E. Any individual who has an Associate's degree in Paralegal Studies obtained from an institutionally accredited school, **and/or** ABA approved paralegal certificate or education program; **AND** six consecutive years substantive paralegal experience; **OR**,
- F. Any individual with a high school diploma or its equivalent, **AND** who has more than eight consecutive years of substantive paralegal experience.
- G. Any individual not meeting at least one of the above qualifications standards should be considered an entry-level paralegal (IF and WHEN they possess one of the entry-level education requirements) UNTIL they meet one of the above qualification standards.

**Ethics:** It is recommended that beginning one year after an individual qualifies by virtue of these standards; he/she shall obtain one continuing legal education (CLE) credits annually in ethics in order to maintain professional competence and continued compliance with the ethical obligations and professional responsibilities of a paralegal.

**CLE:** MAP recommends that practicing paralegals complete a minimum of 12 hours of continuing legal education every two years, including at least one hour of ethics per year.

## Position on Short-Term Paralegal Programs

MAP has taken a position on short-term paralegal programs because paralegal programs offering an inadequate curriculum are detrimental to paralegal students, the paralegal profession and to the legal community. Students paying for paralegal programs have the right to expect a curriculum sufficient to prepare them to enter the legal field after having achieved a certain level of knowledge and skill. Employers hiring paralegals have an expectation that paralegals who have obtained a paralegal certificate will enter the workforce with knowledge and skills appropriate for an entry-level paralegal. Schools offering short-term paralegal programs which do not provide a complete paralegal education leave their students unable to obtain a position and damage the reputation of the paralegal profession with employers, the legal community, and the general public. MAP has a duty to provide candid and thorough information regarding paralegal education in Maryland to its members as well as to members of the public and legal community who look to MAP for such information. As a charter member of the NFPA, MAP has incorporated recommendations of NFPA regarding appropriate curriculum of short-term paralegal programs, as well as those of the ABA Guidelines For The Approval Of The Education Programs, Sections G-301-2 (“ABA’s Paralegal Educational Guidelines”), as follows:

Colleges and/or universities offering short-term paralegal programs should provide paralegal coursework and appropriate general education which meet the following standards:

- A. Post-secondary coursework in substantive and procedural law, the American legal system, law offices and related environments, the paralegal profession, legal research and writing, ethics and areas of legal practice such as those described in the Core Competencies for Paralegal Programs and/or the ABA’s Paralegal Educational Guidelines by the American Association for Paralegal Education (“AAfPE”);
- B. No fewer than 18 semester credit hours (or the equivalent) of substantive paralegal courses;
- C. The completion of a minimum of 60 semester credit hours (or the equivalent) of total post-secondary study, which should include general education and legal specialty courses, prior to graduation. A semester credit hour is equivalent to 15 classroom hours of at least 50 minutes in duration. The course offerings may be for credit or not for credit but should meet these minimum time periods; and
- D. The paralegal education program should be offered by an institution that is:
  - ◆ An institutional member of the AAfPE; or
  - ◆ Approved by the ABA; or
  - ◆ Accredited by an agency recognized by the United States Department of Education and offering courses at the post-secondary level.

## Position on Regulation

MAP supports the idea of the regulation of paralegals in Maryland, although none exists currently in the State of Maryland. MAP further adopts NFPA's definition of the regulation of paralegals as the process by which a governmental or other entity authorizes general practice in the paralegal profession and the use of the title 'Paralegal' to individuals meeting predetermined qualifications that include: a) an educational requirement; b) the passage of a proficiency based examination; c) continuing legal education; d) adherence to a code of ethics; and e) other criteria as required by a governmental or other entity. MAP will be proactive in advocating any regulation that enhances the growth of the paralegal profession.

## Position on Disqualification Criteria for Paralegals

An individual should not be employed as a paralegal if he/she:

1. Is under the supervision of the Department of Corrections, or,
2. Is an attorney who has been disbarred or whose license to practice law is suspended.<sup>1</sup>

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<sup>1</sup> MAP acknowledges that within the State of Maryland it is permissible for a disbarred or suspended lawyer to work as a paralegal, provided that proper procedures and constraints are in place to assure that the public in general, and clients in particular, are not confused as to the person's status as a paralegal. Attorney Grievance Comm'n v. Brennan, 350 Md. 489 (1998); Attorney Grievance Comm'n v. James, 340 Md. 318 (1995); In re Murray, 316 Md. 303 (1989).