



The Changing Landscape of the Paralegal Profession

By: Mel Glina, TBLS - BCP, CP

For years, the paralegal profession struggled to claim an identity all its own. Attorneys were definitely amenable to the idea of gaining assistance with the delivery of legal services to the public at a more affordable rate, but were wary of what (to them) were unknown ethical challenges related to the unauthorized practice of law. Additionally, many were resistant to the introduction of a completely new role to their practice dynamic, instead choosing to redefine the administrative assistant role which only added to the confusion. In the last decade we have seen a coordinated effort in many states to define the role of a paralegal, not only judicially and/or legislatively, but also by state bar associations adopting recommended standards and practices of utilization and hiring of paralegals. Although the courts drove many of these changes due to billing controversies, many were economically driven either by cost-cutting measures of in-house law departments or client-driven fee negotiations for law firms. Large companies have used their buying power to negotiate creative engagement letters and ensure the use of non-attorney professionals for reduced billing rates. Whatever the reason, paralegals have become a staple of the law firm product offering and in-house legal department and are fully integrated into the industry as a whole. As the paralegal's responsibility level continues to grow as the profession evolves, so too must our vigilance for maintaining a superior work ethic and heightened skill set. Acquiring proficient knowledge, training and experience speaks to our integrity and competence, and be warned, actively pursuing each in an ongoing basis is imperative for quality performance.

One trend affecting the landscape of the paralegal profession is the combining of practice areas, both within the law firm environment and in-house legal departments. What was once individual practice areas now are often combined into larger transactional

service areas. As an example, most large law firms previously had separate practice areas for real estate, corporate, tax, estate planning, banking and finance, wills and estates, oil & gas and so on. Now these are often combined into one mega-section. The effective transactional paralegal must be ready. In the litigation environment, a paralegal would often spend an entire career working in the area of insurance defense litigation. Now, the paralegal is wise to understand all areas of civil litigation, including plaintiff cases. The bottom line as jobs are streamlined, is that paralegals must be ready for the challenge of being cross-trained in the majority of these practice areas.

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Another trend is the hiring of non-attorney professionals in a variety of positions that may not carry the title of *paralegal*. Landsman, case manager, case review specialist, contract manager, real estate specialist, litigation specialist, trial coordinator... these are just a few of the titles that immediately come to mind. Paralegals must keep in front of this trend to ensure that their personal brand reflects current market conditions in order to successfully fill these jobs.

Also trending is the importance of marketing your "brand". No, this isn't just for movie stars and other entertainers any more - it applies to paralegals as well! How do you market yourself both in and out of the office? Whether it is your appearance or your skill set, stay current. Here are some important questions to measure your current status:

...continued on Page 16



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- 1 Are you involved in professional associations or organizations that support your practice?
- 2 How have you marketed yourself on social media? If a prospective client or employer were to visit your publicly available Linked In profile, what would be their take-a-way?
- 3 If a prospective client or employer gained access to your Facebook, Instagram, Twitter, Reddit or other accounts, would you be prepared?
- 4 How many articles have you had published in your career? Recently?
- 5 Have you ever served on an Advisory Board for paralegal studies or certification initiatives?
- 6 Are you certified through TBLS, NALA, or NFPA?

Attorneys, who once left marketing and client development strictly to others (other than the occasional client lunch), now find that he or she must deliver CLE presentations, author blogs, and/or write white papers or other articles just to keep in the race for attracting the right clients. To otherwise enhance the overall marketing strategy of the law firm, so too must the paralegal. While no paralegal should go rogue, acting in concert with your firm or company marketing department to supplement proposals and portfolios is of extreme importance. Finally, when developing your “brand” be sure that whatever you put forth in the public space is (i) complimentary to your current employer (even if you do not mention them), and (ii) complimentary to your personal and career advancement.

Another noteworthy trend is that of regulation. The goal of state bars across the country is to insure quality access to legal services for the public while maintaining strict delivery guidelines and supervision of those in the industry. It is in no one’s interest to

have those with little or no training providing legal services to the public. Many states, therefore, have enacted regulatory legislation mandating educational requirements and experience. Other states, although not adopting formal requirements, have nevertheless set forth hiring *recommendations* concerning experience, education, and certification to licensed attorneys, like Texas. Many experts feel that formal regulation and/or licensure is right around the corner. Do your part today - if you are not already certified, that should be priority number one. It definitely will not hurt you, and it just may save you from being at the back of the crowd should this recommendation become a requirement.

Finally, let us discuss the trend surrounding the currency of progress. Our main goal as paralegals, and in fact in any profession, is to remain relevant. On a daily basis ask yourself what your value add is to your position. One essential quality is to absolutely take the lead in advancing your technology skills. Whether reading trade magazines or attending technology seminars or doing your own research online from month to month, make sure you understand what the latest trend is in technology that is relevant to the legal services industry and your particular practice area. Also essential is your ability to become an expert in at least one area of your practice. Whether it is corporate compliance, e-Filing, UCC compliance, memorizing the rules of each court in your District or being the first to track legislative House Bills affecting statutes in your practice area, take the lead for your section or law group and it will not go unnoticed! In fact, most experts agree that this is probably the number one way to quickly advance your career.

...continued on Page 17



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In conclusion, whether it is the trend of cross-training, non-attorney inclusion, branding, regulation or the currency of progress, take charge of you own career. Get out in front of the trends that are affecting the landscape of our profession and make preparations. That way, when change arrives, and it most surely will, you are more than ready to meet the challenge.



Ms. Glina is a TBLS and NALA certified paralegal in the Business and Regulatory section of Bracewell & Giuliani LLP. She is currently President-Elect of Texas' largest local paralegal association, the Houston Metropolitan Paralegal Association ("HMPA"). She has been published in and interviewed for various national and state publications such as Texas Paralegal Journal and Legal Examiner, and is a guest speaker at many paralegal CLE programs and forums on the topics of ethics, commercial real estate and finance, and the role of paralegals in today's economically conservative legal market.

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