

## CHAPTER 2

# Career Opportunities



### CHAPTER OUTLINE

Introduction  
Where Paralegals Work  
Paralegal Specialties  
Paralegal Compensation  
Planning Your Career  
Locating Potential Employers  
Marketing Your Skills  
Using Social Media Effectively

### CHAPTER OBJECTIVES

**After completing this chapter, you will know:**

- What types of firms and organizations hire paralegals.
- Some areas of law in which paralegals specialize.
- How much paralegals can expect to earn.
- How to search for an employer.
- How to present yourself to prospective employers.
- How to prepare a career plan and pursue it.
- How to use social media to promote your career.

## INTRODUCTION

Paralegals enjoy a wide range of employment opportunities in both the private and the public sectors. They are in demand at law firms because they help provide competent legal services at a lower cost to clients. Most legal assistants work in law offices. However, almost any business that uses legal services, including large corporations, insurance companies, banks, and real estate agencies, employ paralegals. In addition, the government has positions for paralegals at many agencies. Paralegals work in many court systems, county offices, and legal-services clinics across the nation.

This chapter provides you with a starting point for planning your career. In the pages that follow, you will read about where paralegals work and what compensation paralegals receive. You will also learn about the steps you will need to follow to plan your career, locate potential employers, present yourself in social media, and find a job.

## Where Paralegals Work

Paralegal employers fall into a number of categories. This section describes the general characteristics of each of the major types of working environments. Regardless of where you work, on-the-job stress is a potential problem, as discussed in the *In the Office* feature on page 23.

### Law Firms

When paralegals first began to establish themselves in the legal community in the 1960s, they worked almost exclusively in law firms. Today, law firms continue to hire more paralegals than do any other organizations. Two-thirds of all paralegals work in law firms, but as was just noted, there are opportunities in other organizations. Law firms vary in size from the one-attorney office to the huge “megafirm” with hundreds of attorneys. As you can see in Exhibit 2.1 below, most paralegals work in settings that employ fewer than twenty-five attorneys.

### Working for a Small Firm

Many paralegals begin their careers working for small law practices with just one or a few attorneys. To some extent, this is because small law firms (those with twenty-five or fewer attorneys) outnumber large ones. It may also be due to geographic location. For example, a paralegal who lives in a small community may find that the only option is a small legal practice.

**FIRM SIZE MATTERS.** Working for a small firm offers many advantages to the beginning paralegal. If the firm is a general law practice, you have the opportunity to gain experience in many different aspects of the practice of law. You will learn whether you enjoy working in one area (such as family law) more than another (such as criminal defense work) in the event that you later decide to specialize. Some paralegals also prefer

Number of Attorneys	Percentage of Paralegals	Average Salary
1	14%	\$40,796
2–5	29%	\$44,261
6–10	18%	\$55,530
11–25	17%	\$55,098
26–50	13%	\$54,635
51–100	6%	\$71,837
Over 100	3%	\$63,268

### EXHIBIT 2.1

Paralegal Employment and Salary by Size of Firm or Legal Department

The data in this exhibit come from survey data reported in *Paralegal Today*.

Paralegals who work for large firms often need to research statutes, court cases, or regulations in the firm's law library. Notebook computers, tablet devices, and smartphones facilitate the ease with which paralegals can do research and communicate with attorneys, clients, and other. What are the pros and cons of working for a large law firm?



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the more personal and less formal environment that usually exists in a small law office, as well as the variety of tasks and greater flexibility common in this setting.

Small size may also have disadvantages, however. Paralegals who work for small firms may have less support staff to assist them. This means that if you work in a small law office, your job may involve a substantial amount of secretarial or clerical work.

**THINK ABOUT COMPENSATION DIFFERENTIALS.** Compensation is another topic of potential concern. Small firms pay, on average, lower salaries than do larger firms, as shown in Exhibit 2.1 on page 21. Generally, the larger the firm, the higher paralegal salaries will be. Small firms also may provide fewer employee benefits, such as pension plans and health benefits. At the same time, however, a small firm may be in a convenient location, may not require an expensive wardrobe, and may provide free parking.

### Working for a Large Firm

In contrast to the (typically) more casual environment of the small law office, larger law firms usually are more formal. In a larger firm, your responsibilities will probably be limited to specific, well-defined tasks. For example, you may work for a department that handles (or for an attorney who handles) only certain types of cases, such as real estate transactions. Office procedures and employment policies will also be more clearly defined and may be set forth in a written employment manual.

The advantages of the large firm often include greater opportunities for promotions and career advancement, higher salaries and better benefits packages, more support staff for paralegals, and more sophisticated technology that affords greater access to research resources.

You may see certain characteristics of large law firms as either advantages or disadvantages, depending on your personality and preferences. For example, if you favor the more specialized duties and formal working environment of a large law firm, then you will view these characteristics as advantages. If you prefer to handle a greater variety of tasks and enjoy the more personal atmosphere of the small law office, then you might think the specialization and formality of a large law firm are disadvantages.

### Corporations and Other Business Organizations

As already mentioned, many paralegals work outside of law firms. Almost any business that uses legal services may hire paralegals. An increasing number of paralegals work for



## IN THE OFFICE

### STRESS PROBLEMS

Stress can cause health problems. It is also related to making mistakes at work. When that happens, even more stress is generated. Errors increase when we rush to meet deadlines and have our minds on many things at once.

How can you reduce stress that may result in sloppy work and missed deadlines?

1. Be candid about your workload when a supervisor adds new work.
2. Prioritize your tasks. Determine, perhaps by consulting with your supervising attorney, which projects take priority.

3. Consider asking your supervisor to assign another person in the office to help you.

4. Keep in mind that being aware of stress is a key step in learning to deal with it in an effective way.

Being organized and clear about responsibilities will increase your productivity, concentration, and performance. It will also reduce the likelihood of stress building up in the office.

corporate legal departments. In recent years, companies have been bringing more legal work “in house” rather than paying outside law firms for work, so this is a growth area for paralegal employment. Most large companies hire a large staff of in-house attorneys to handle corporate legal affairs. Paralegals who are employed by corporations usually work under the supervision of in-house attorneys.

Paralegals in a corporate setting perform a variety of functions, such as organizing meetings and maintaining necessary records, drafting employee contracts and benefit plans, and preparing financial and other reports for the corporation. Paralegals often help monitor government regulations to be sure the company operates within the law. When the firm is involved in a lawsuit, paralegals may be assigned duties related to that lawsuit. (For more information on the duties of corporate paralegals, see Chapter 18.)

About one-fifth of all paralegals work in corporate environments. Paralegals who are employed by corporations frequently receive higher salaries than those working for law firms. In addition, paralegals who are employed by corporations may work more regular hours. Unlike paralegals in law firms, corporate paralegals typically have not been required to generate a specific number of “billable hours” per year (hours billed to clients for paralegal services performed, to be discussed in Chapter 3).

### Government

Paralegals employed by government agencies work in a variety of settings and often specialize in one aspect of the law. Agencies also usually provide excellent benefits and stable work environments, as budgets do not depend on client billing.

#### Administrative Agencies

Paralegals who work for federal or state government agencies may conduct legal research and analysis, investigate welfare eligibility or disability claims, examine documents (such as loan applications), and many other tasks. At the federal level, the U.S. Department of Justice employs the largest number of paralegals, followed by the Social Security Administration and the Department of the Treasury.

Paralegals who work for government agencies normally work regular hours and tend to work fewer total hours per year (have more vacation time) than paralegals in private



law firms. Like paralegals in corporations, they may not have to worry about billable hours, although other measures of productivity are likely to be used. Additionally, paralegals who work for the government usually enjoy comprehensive employment benefits.

### Legislative Offices

Legislators in the U.S. Congress and in some state legislatures typically have staff members to help them with their duties. Duties often include legal research and writing, and paralegals sometimes perform such services. For example, a senator who plans to propose an amendment to a certain law may ask a staff paralegal to research the legislative history of that law (to discern the legislature's intention when passing the law—see Chapters 5 and 7) and write up a summary of that history.

### Law Enforcement Offices and Courts

Many paralegals work for government law enforcement offices and institutions. As you will read in Chapter 13, which discusses criminal law and procedures, a public prosecutor prosecutes a person accused of a crime. Public prosecutors (such as district attorneys, state attorneys general, and U.S. attorneys) are paid by the government. Accused persons may be defended by private attorneys or, if they cannot afford to hire a lawyer, by *public defenders*—attorneys paid for by the state to ensure that criminal defendants are not deprived of their constitutional right to be represented by counsel. Both public prosecutors and public defenders rely on paralegals for assistance.

Paralegals also find work in other government settings, such as federal or state court administrative offices. Court administrative work ranges from recording and filing court documents (such as the documents filed during a lawsuit—see Chapter 10) to working for a small claims court (a court that handles claims below a specified amount—see Chapter 6). Paralegals also work for bankruptcy courts (see page 29 for a discussion of bankruptcy law and practice).

### Legal Aid Offices

Legal aid offices provide legal services to those who find it difficult to pay for legal representation. Most legal aid is government funded, although some support comes from private foundations.

Many paralegals who work in this capacity find their jobs rewarding, even though they usually receive lower salaries than they would in other settings. In part, this is because of the nature of the work—helping people in need. Additionally, paralegals in legal aid offices generally assume a wider array of responsibilities than they would in a traditional law office. For example, some federal and state administrative agencies, including the Social Security Administration, allow paralegals to represent clients in agency hearings and judicial proceedings. As you will read in Chapter 4, paralegals normally are not allowed to represent clients—only attorneys can do so. Exceptions to this rule exist when a court or agency permits nonlawyers to represent others in court or in administrative agency hearings.

### Freelance Paralegals

Some experienced paralegals operate as freelancers. **Freelance paralegals** (also called *independent contractors* or *contract paralegals*) own their own business and perform specific legal work for attorneys on a contract basis. Attorneys who need temporary legal assistance may contract with freelance paralegals to work on particular projects. In addition, attorneys who need legal assistance but cannot afford to hire full-time paralegals might hire freelancers to work on a part-time basis.

Freelancing has advantages and disadvantages. Because freelancers are their own bosses, they can set their own schedules. Thus, they enjoy a greater degree of work flexibility. In addition, depending on the nature of their projects, they may work at home or in attorneys' offices. With flexibility, however, comes added responsibility. A freelance

#### freelance paralegal

A paralegal who operates his or her own business and provides services to attorneys on a contract basis. A freelance paralegal works under the supervision of an attorney, who assumes responsibility for the paralegal's work product.

paralegal's income depends on the ability to promote and maintain business. If there are no clients for a month, there is no income. Also, freelancers do not enjoy benefits such as employer-provided medical insurance.

Freelance paralegals work under attorney supervision. Freelancers are not to be confused with legal technicians—often called independent paralegals—who do not work under the supervision of an attorney and who provide (sell) legal services directly to the public. These services include helping members of the public obtain and fill out forms for certain legal transactions, such as bankruptcy filings and divorce petitions. As we will see in Chapter 4, legal technicians run the risk of violating state statutes prohibiting the unauthorized practice of law.

## Paralegal Specialties

While many paralegals perform a wide range of legal services, some find it satisfying to specialize in one area. Areas of law in which paralegals report that they work at least some of the time are litigation (52 percent), corporate law (9 percent), contract law (13 percent), and real estate law (11 percent). Other specialties exist, and some are listed in Exhibit 2.2 below. Here, we discuss a few of the areas in which paralegals may specialize, but increasingly, in all practice settings, being able to use technology efficiently is a great asset, as discussed in the *Technology and Today's Paralegal* feature on page 27.

### Litigation

Working a lawsuit through the court system is called litigation. Paralegals who specialize in assisting attorneys in this process are called litigation paralegals. Litigation paralegals work in general law practices, small litigation firms, litigation departments of larger law firms, and corporate legal departments. Litigation paralegals often specialize in a certain type of litigation, such as personal-injury litigation (discussed shortly) or product liability cases (which involve injuries caused by defective products).

Litigation paralegal work varies with the substantive law area being litigated. It also varies according to whether it is done on behalf of plaintiffs (those who bring lawsuits) or defendants (those against whom lawsuits are brought). Some litigation paralegals investigate cases, review documents containing evidence, interview clients and witnesses, draft documents to file with the courts, and prepare for hearings and trials. You

#### legal technician or independent paralegal

A paralegal who offers services directly to the public without attorney supervision. Independent paralegals assist consumers by supplying them with forms and procedural knowledge relating to simple or routine legal procedures.

#### litigation

The process of working a lawsuit through the court system.

#### litigation paralegal

A paralegal who specializes in assisting attorneys in the litigation process.

#### plaintiff

A party who initiates a lawsuit.

#### defendant

A party against whom a lawsuit is brought.

Area of Legal Specialty	Average Compensation
Administrative	\$39,250
Bankruptcy	\$45,380
Contracts	\$48,100
Corporate	\$61,413
Criminal	\$42,820
Employment	\$47,289
Environmental	\$57,633
Family	\$39,078
Insurance	\$55,371
Intellectual property	\$67,300
Litigation	\$53,615
Medical malpractice	\$53,191
Personal injury (plaintiff)	\$47,680
Probate (wills and estates)	\$39,750
Real estate	\$45,614
Workers' compensation	\$36,200

### EXHIBIT 2.2

#### Average Compensation by Specialty

The authors compiled this exhibit using data from *Paralegal Today*.

will read about litigation procedures and the important role played by paralegals in this process in Chapters 10 through 12.

## Corporate Law

### corporate law

Law that governs the formation, financing, merger and acquisition, and termination of corporations, as well as the rights and duties of those who own and run the corporation.

Corporate law consists of the laws that govern the formation, financing, structure, and termination of corporations, as well as the rights and duties of those who own and run corporations. Corporate paralegals perform a wide variety of functions in helping to create businesses in different legal forms.

Paralegals who specialize in corporate law may work in the legal department of a corporation, or for a law firm that specializes in corporate law. Corporate paralegals often perform such tasks as prepare and file documents with a state agency to set up business entities, maintain corporate records, organize and schedule shareholders' meetings in accordance with state law. As you see on the previous page in Exhibit 2.2, paralegals who work in corporate law generally receive higher salaries than paralegals in some other settings. In addition, corporate paralegals who narrow their expertise to areas such as mergers are among the highest-paid paralegals.

## Contract Law

### contract

An agreement (based on a promise or an exchange of promises) that can be enforced in court.

Contract law work is common for many lawyers. A contract is an agreement (based on a promise or an exchange of promises) that can be enforced in court. Paralegals who specialize in contracts may work for a corporation's legal department, for a law firm, or for a government agency.

Paralegal work in contract law may involve preparing contracts and forms, and reviewing contracts to determine whether a party to a contract has complied with its terms. In a lawsuit for breach of contract, for example, a paralegal might be asked to look closely at the terms and do some factual investigation to find out whether the contract has been breached (broken). Contract specialists also may conduct research in the law governing contracts, before a contract is formed or during litigation concerning the contract. Because contracts are so common in our legal environment, many paralegals—not just contract specialists—are involved with work relating to contracts.

## Real Estate Law

### real estate

Land and things permanently attached to the land, such as houses, buildings, and trees.

At law, *real estate*, or *real property*, consists of land and things attached to the land, such as houses, buildings, and trees. Because of the value of real estate (for most people, a home is the most expensive purchase they will ever make) and the complexities of the transaction, attorneys frequently assist parties that buy or sell real property to make sure that nothing important is overlooked.

Paralegals who specialize in real estate may find employment in a number of environments, including small law firms that specialize in real estate transactions, real estate departments in large law firms, or other business firms that frequently buy or sell real property, banks (which finance real estate purchases), title companies, and real estate agencies. Paralegals working in real estate law often draft contracts for the sale of real estate, draft mortgage agreements, draft and record deeds, and schedule closings on the sale of property.

## Personal-Injury Law

### tort

A civil wrong not arising from a breach of contract, a violation of a legal duty that causes harm to another.

Much litigation involves claims brought by persons who have been injured in automobile accidents or other incidents as a result of the negligence of others. *Negligence* is a tort, or civil wrong, that occurs when carelessness causes harm to another. Someone who has been injured as a result of another's negligence is entitled under tort law to attempt to obtain compensation from the wrongdoer.



**insurance**

A contract by which an insurance company (the insurer) promises to pay a sum of money or give something of value to another (either the insured or the beneficiary) to compensate for a specified loss.

**workers' compensation statutes**

State laws establishing an administrative procedure for compensating workers for injuries that arise in the course of their employment.

**estate planning**

Making arrangements, during a person's lifetime, for the transfer of that person's property to others on the person's death. Estate planning often involves executing a will or establishing a trust fund to provide for others, such as a spouse or children, on a person's death.

**will**

A document directing how and to whom the maker's property and obligations are to be transferred on his or her death.

**probate**

The process of "proving" the validity of a will and ensuring that the instructions in a valid will are carried out.

**probate court**

A court that probates wills; usually a county court.

Paralegals who specialize in personal-injury litigation often work for law firms that concentrate in this field. Legal assistants working in this capacity obtain and review medical and employment records to calculate the client's lost income. These items are needed to determine the plaintiff's damages in a personal-injury lawsuit. Personal-injury paralegals are also hired by insurance companies to investigate claims. Defendants in personal-injury cases are typically covered by insurance, and a defendant's insurance company has a duty to defend an insured customer who is sued.

## Insurance Law

**Insurance** is a contract by which an insurance company (the insurer) promises to pay a sum or give something of value to another (either the insured or the beneficiary of the insurance policy) to compensate for a specified loss. Insurance may provide compensation for the injury or death of the insured or another, for damage to the insured's property, or for other losses, such as those resulting from lawsuits. Paralegals who specialize in insurance law may work for law firms that defend insurance companies in litigation brought against the companies. They may also work directly for insurance companies or for companies that buy large amounts of insurance or are self-insured, such as hospitals.

Paralegals may review insurance regulations and monitor an insurance firm's compliance with the regulations. They may also be asked to review insurance contracts, undertake factual and legal investigations relating to insurance claims, or provide litigation assistance in lawsuits involving the insurance company. Paralegals often help in litigation involving insurance. For example, a paralegal may be asked to provide investigative or litigation assistance for a client who is bringing a lawsuit or defending against a personal-injury, malpractice, or other litigation in which insurance is a factor.

## Employment and Labor Law

Laws governing employment relationships cover a wide variety of issues but are referred to collectively as *employment and labor law*. This body of law includes laws governing health and safety in the workplace, labor unions and union-management relations, employment discrimination, sexual harassment, wrongful termination, employee benefit plans, retirement and disability income, employee privacy rights, minimum wage, and overtime wages.

Some paralegals specialize in just one aspect of employment law, such as workers' compensation. Under workers' compensation statutes, employees who are injured on the job are compensated from state funds or insurance funds. Paralegals assist persons injured on the job in obtaining compensation from the state workers' compensation program. As mentioned earlier, some state workers' compensation boards allow paralegals to represent clients during agency hearings, which are conducted to settle disputes, or during negotiations with the agencies.

Frequently, working in employment law involves interacting with administrative agencies, such as the Occupational Safety and Health Administration and the Equal Employment Opportunity Commission. Each agency has its own rules and legal procedures. Paralegals who work in employment or labor law must be familiar with the relevant federal and state agencies, as well as with their specific roles in resolving disputes. We cover administrative agencies in Chapter 5.

## Estate Planning and Probate Administration

Estate planning and probate administration have to do with the transfer of an owner's property, or *estate*, on the owner's death. Through estate planning, the owner decides, before death, how his or her property will be transferred to others. The owner may make a will to designate the persons to whom property is to be transferred. If someone contests the validity of the will, it must be probated (proved) in a probate court. Depending

on the size and complexity of the estate, it may take months or longer for the probate court to approve the property distribution and for the property to be transferred to the rightful heirs.

Because the probate process is time consuming and expensive, many people engage in estate planning to try to avoid probate. For example, a person may establish a **trust agreement**, a legal arrangement in which the ownership of property is transferred to a third person (the *trustee*) to be used for the benefit of another (the beneficiary). Paralegals often are responsible for interviewing clients to obtain information necessary to draft wills and trust agreements, for gathering information on debts and assets, and for locating heirs if necessary. A paralegal who is sensitive and caring toward clients, yet professional in explaining and working out procedures, is well suited for this specialty.

**trust**

An arrangement in which title to property is held by one person (a trustee) for the benefit of another (a beneficiary).

**Bankruptcy Law**

Bankruptcy law allows debtors to obtain relief from their debts. Bankruptcy law is federal law, and bankruptcy proceedings take place in federal courts (see the discussion of the federal court system in Chapter 6). The goals of bankruptcy law are (1) to protect a debtor by giving him or her a fresh start and (2) to ensure that creditors who are competing for a debtor's assets are treated fairly. The bankruptcy process may provide several types of relief for individuals or business firms. Both large and small firms practice bankruptcy law and hire paralegals who specialize in this area.

**bankruptcy law**

The body of federal law that governs bankruptcy proceedings. The twin goals of bankruptcy law are (1) to protect a debtor by giving him or her a fresh start and (2) to ensure that creditors competing for a debtor's assets are treated fairly.

Bankruptcy law imposes strict requirements, which means that paralegals working in this field may have detailed responsibilities. The paralegal might be responsible for interviewing debtors to obtain information about their income, assets, and debts. This often involves verifying the accuracy of information provided by debtors and ensuring that debtors have completed required credit counseling. The paralegal may also review the validity of creditors' claims and prepare documents that must be submitted to the bankruptcy court.

**Intellectual Property Law**

Intellectual property consists of the products of individuals' minds—products that result from creative processes. Those who create intellectual property acquire certain rights over the use of that property. Literary works, such as books, and artistic works, such as songs, are protected by *copyright law*. *Trademark law* protects firms' distinctive marks or logos. Inventions are protected by *patent law*. Firms may also have *trade secrets*, such as the formula to make Coca-Cola. The owner of intellectual property rights may sell the rights to another, may collect royalties on the use of the property (such as a popular song) by others, and may prevent unauthorized publishers from reproducing the property without permission. Intellectual property is a rapidly growing area of law due to the many Internet-based firms.

**intellectual property**

Property that results from intellectual, creative processes. Copyrights, patents, and trademarks are examples of intellectual property.

Some law firms (or departments of large law firms) specialize in intellectual property law. Other firms provide a variety of legal services, of which intellectual property law is a part. In addition, corporate legal departments may be responsible for registering copyrights, patents, or trademarks with the federal government.

Paralegals may specialize in intellectual property research regarding existing patents and trademarks. They also assist in compiling patent applications in accordance with detailed regulations, draft documents necessary to apply for trademark and copyright protection, and assist in litigating disputes. Because of the expertise required, paralegal intellectual property specialists are paid more than average (see Exhibit 2.2 on page 25). This is an especially good practice area for paralegals with a science background. In fact, anyone, including a paralegal, with three years of undergraduate science courses can apply to the U.S. Patent and Trademark Office to become a registered patent agent and thus be qualified to prepare patent applications.

**environmental law**

All state and federal laws or regulations enacted or issued to protect the environment and preserve environmental resources.

**family law**

Law relating to family matters, such as marriage, divorce, child support, and child custody.

**civil law**

Law dealing with the definition and enforcement of private rights, as opposed to criminal matters.

**criminal law**

Law that governs and defines those actions that are crimes and that subjects persons convicted of crimes to punishment imposed by the government (a fine or jail time).

## Environmental Law

Environmental laws help to protect the environment. These involve the regulation of air and water pollution, protection of property from abuse, natural resource management, endangered species protection, proper hazardous waste disposal, the clean-up of hazardous waste sites, pesticide control, and nuclear power regulation.

Employers of paralegal specialists in environmental law include administrative agencies (such as the federal Environmental Protection Agency (EPA), state natural resource departments, and local zoning boards), environmental law departments of large law firms, law firms that specialize in environmental law, and corporations. For example, a company may employ a paralegal as an environmental coordinator to help maintain compliance with regulations, oversee company environmental programs, and obtain permits for certain kinds of land use. Paralegals working in law firms that handle environmental matters often perform tasks similar to those described previously for litigation and personal-injury paralegals.

## Family Law

Family law, as the term implies, deals with family matters, such as marriage, divorce, alimony, child support, and child custody. Family law is governed by state statutes, so if you specialize in this type of law, you will become familiar with your state's particular requirements.

As a family law specialist, you might work for a small law practice, for a family law department in a large law firm, or with a state or local agency, such as a community services agency that assists persons who need help with family-related legal problems. You might research and draft documents that are filed with the court in divorce and adoption proceedings. You might also perform investigations into assets and the grounds for divorce. Paralegals in this area often have extensive contact with clients and need to be skilled at extracting information from sometimes emotionally distraught persons. Those with a background or interest in social work or counseling are particularly well suited to this specialty.

## Criminal Law

Law is sometimes classified into the two categories of civil law and criminal law. Civil law is concerned with the duties that exist between persons or between citizens and their governments, excluding criminal matters. Contract law, for example, is part of civil law. When the EPA demands a company pay a fine for failure to comply with some aspect of environmental regulation, that is an area of civil law.

Criminal law, in contrast, is concerned with wrongs committed against the public. Criminal acts are prohibited by federal or state statutes (criminal law and procedures will be discussed in Chapter 13). In a criminal case, the government seeks to impose a penalty (which could include jail time) on a person who is alleged to have committed a crime. In contrast, in a civil case, one party tries to make the other party comply with a duty or pay for the damage caused by a failure to comply with a legal obligation.

Paralegals who specialize in criminal law may work for public prosecutors, public defenders (which is discussed in the *Developing Paralegal Skills* feature on the facing page), or criminal defense attorneys. A legal assistant working for the prosecutor's office, for example, might draft search or arrest warrants. A paralegal working for the defense attorney (public or private) might obtain police reports, conduct research, and draft documents to be filed with the court, such as a document arguing that the police violated the defendant's constitutional rights. Although criminal law and civil law are quite different, the trial process is comparable, and paralegals perform similar types of tasks (investigation, summarizing witness testimony, and so forth) in preparation for litigation.



## DEVELOPING PARALEGAL SKILLS

### WORKING FOR A PUBLIC DEFENDER

Michele Sanchez works as a paralegal for the public defender's office in her county. Today, she has been assigned to go to the county jail to meet with a new client, Geraldine Silverton. Silverton had been arrested for child abuse after her child's school notified the police. According to school officials, the child had bruises all over his body. The child also told his teacher that his mother frequently "beat him up" for no reason at all.

The client, Silverton, is upset and tells Michele that "no way in the world would she harm her boy." Silverton claims that her son was hurt when he fell off the trampoline in their backyard and that he's just "making up" the abuse story to get attention.

Silverton demands to be released from jail immediately. Michele makes a note of Silverton's concerns and then explains the scheduling for the bail hearings.

### TIPS FOR MEETING WITH A NEW CLIENT

- Review the police report before meeting with the client.
- During the interview with the client, ask the client for his or her side of the story.
- Listen carefully and supportively to the client, and communicate with empathy.
- Do not appear to judge the client.

## Additional Specialty Areas

The listing of specialty areas is not exhaustive. Opportunities for paralegals exist in many other capacities. As the U.S. population ages, for example, more attorneys are focusing on serving the needs of older clients. **Elder law** is the term used to describe this broad specialty. Paralegals who work in this practice area may be asked to assist in a variety of tasks, including those relating to estate planning (discussed earlier), age-discrimination claims, financial arrangements for long-term care, Medicare and Medicaid, abuse suffered by elderly persons, and the visitation rights of grandparents.

Nurses have found profitable and challenging work as paralegals. A paralegal who is also a trained nurse is able to evaluate legal claims involving injuries, such as those involved in personal-injury, medical-malpractice, or product-liability lawsuits. A specialty area among nurses—and within the legal profession—is that of the **legal nurse consultant (LNC)**. LNCs usually work independently (offering their services on a contract basis) and are typically well paid for contract services. Some LNCs work for law firms, insurance companies, government offices, and risk management departments of companies as salaried employees. The American Association of Legal Nurse Consultants offers a certification program in which nurses who meet the eligibility criteria (including educational credentials and sufficient experience as a legal nurse) and pass an examination can become certified as LNCs.

#### elder law

A relatively new legal specialty that involves serving the needs of older clients, such as estate planning and making arrangements for long-term care.

#### legal nurse consultant (LNC)

A nurse who consults with legal professionals and others about medical aspects of legal claims or issues. Legal nurse consultants normally must have at least a bachelor's degree in nursing and significant nursing experience.

## Paralegal Compensation

What do paralegals earn? This is an important question for anyone contemplating a career as a paralegal. You can obtain some idea of what paralegals make, on average, from paralegal compensation surveys. Following a discussion of these surveys, we look at some other components of paralegal compensation, including job benefits and compensation for overtime work.

of information (see [lawyers.findlaw.com](http://lawyers.findlaw.com)). It contains a listing of U.S. attorneys and law firms, state and federal attorneys and offices, and corporate legal departments and general counsel.

## Job-Placement Services

Make full use of your school's placement service. Many colleges with paralegal programs provide job-placement services, and ABA-approved schools are required to provide ongoing placement services. Placement offices have personnel trained to assist you in finding a job, as well as in preparing job-search tools, such as your résumé and a list of potential employers. Some schools also offer practice interviews.

A growing trend is to use legal staffing or placement companies (also known as *recruiters*) to locate employment. Usually, the employer pays the fees for the placement company's services, and the company recruits candidates for the paralegal position and arranges interviews. Placement services can be located through paralegal program directors, local paralegal associations, and state bar associations, as well as on the web.

Legal staffing companies place paralegal employees in both temporary (called "contract") and full-time (called "direct-hire") positions. Temporary contract employees are often used when a regular employee needs to take leave or when a special project requires additional paralegals, such as in large-scale litigation cases. Contract jobs can last from a few days to over a year. Long-term contract opportunities can provide valuable work experience in a particular specialty. Direct-hire positions typically provide long-term employment with salary and benefits, which are not provided in most temporary employment contracts.

## Marketing Your Skills

Once you locate potential employers, the next step is to market your skills and yourself effectively. Marketing your skills involves three stages: the application process, interviewing for jobs, and following up on job interviews.

Keep in mind that each personal contact you make, whether it results in employment or not, has potential for your future. A firm may not hire you today because it has no openings, but it may hire you a year from now. Therefore, keep track of the contacts you make during your search, be patient, and be professional.

## The Application Process

When looking for paralegal employment, you need to assemble and present professional application materials. The basic materials you should create are a résumé, a cover letter, a list of professional references, and a portfolio. The following discussion explains each of these and gives some practical tips on how to create them.

### The Résumé

For most job applications, you must submit a personal résumé that summarizes your employment and educational background. Your résumé is an advertisement, and you should invest the time to make it effective. Because human resource representatives in law firms, corporations, and government agencies may receive many résumés for each position they advertise, your résumé should create the best possible impression to gain a competitive edge over other job seekers.

Either generate your résumé yourself or work with a professional résumé-preparation service. Some school placement offices provide assistance. Format each page so that the reader is able to scan it quickly and catch the highlights. You might vary the type size, but never use a type size or style that is difficult to read.

## What to Include in Your Résumé

Your name, address, telephone number, e-mail address, and website address, if you have one, belong in the heading of your résumé. The body of the résumé should be simple, brief, and clear. As a general rule, it should contain only information relevant to the job that you are seeking. A one-page résumé is usually sufficient, unless two pages are required to list relevant educational background and work experience. Exhibit 2.5 below shows a sample résumé of a person with paralegal experience, and Exhibit 2.6 on the following page shows one of a person without such experience. Do not put your name and address in the upper left-hand corner, as that area is often stapled.

**PROVIDE DETAILS.** Divide your résumé into logical sections with headings as shown in the exhibits. Whenever you list dates, such as educational and employment dates, list them chronologically in reverse order. That is, list your most recent educational or work history first. When discussing your education, list the names and locations of the

### ELENA LOPEZ

1131 North Shore Drive  
Nita City, NI 48804

Telephone: (616) 555-0102 • E-mail: elopez@nitonet.net

#### EMPLOYMENT OBJECTIVE

A position as a paralegal in a private law firm that specializes in personal-injury practice.

#### EDUCATION

2012 Professional Training

Midwestern Professional School for Paralegals, Green Bay, WI

*Focus:* Litigation Procedures, Legal Investigation, Torts, Arbitration and Mediation, Case Preparation, and Trial. GPA 3.8.

2009 Bachelor of Arts degree

University of Wisconsin, Madison, WI 53706. Political Science major. GPA 3.1.

#### PARALEGAL EXPERIENCE

- Caldwell Legal Clinic, Nita City, NI  
*Paralegal:* June 2012 to the present.  
*Responsibilities:* Legal research and document review; drafting discovery documents, including interrogatories, deposition summaries, and requests for admissions; and trial preparation in personal-injury cases.
- Legal Aid Society, Green Bay, WI  
*Paralegal:* June 2009 to May 2012.  
*Responsibilities:* Part-time assistance to legal aid attorneys in their representation of indigent clients in matters such as divorce, abuse, child custody, paternity, and landlord-tenant disputes.
- University of Wisconsin, Madison, WI  
*Research Assistant:* Political Science Department, January 2007 to May 2009.  
*Responsibilities:* Research on the effectiveness of federal welfare programs in reducing poverty in the United States.

#### AFFILIATIONS

Paralegal Association of Wisconsin  
National Association of Legal Assistants

### EXHIBIT 2.5

A Sample Résumé of a Person with Paralegal Experience



colleges you have attended and the degrees you have received. You may want to indicate your major and minor concentrations such as “Major: Paralegal Studies” or “Minor: Political Science.” When listing work experience, specify your responsibilities in each position. Also include any relevant volunteer work that you have done. Substantive volunteer work is a major asset.

Scholarships or honors should also be indicated. If you have a high grade-point average (GPA), then include the GPA in your résumé. Under the heading “Selected Accomplishments,” you might indicate your ability to speak more than one language, or note that you possess another special skill, such as expertise in online research.

**NO WORK EXPERIENCE?** What if you are an entry-level paralegal and have no work experience to highlight? What can you include on your résumé to fill out the page? If you are facing this situation, add more information on your educational background

### EXHIBIT 2.6

A Sample Résumé of a Person  
without Paralegal Experience

#### MARCUS BOHMAN

335 W. Alder Street  
Gresham, CA 90650

Home Phone: (562) 555-6868 • Mobile: (562) 555-2468 • E-mail: mboh44@gresham.net

#### OBJECTIVE

To obtain a paralegal position in a firm that specializes in real estate transactions.

#### QUALIFICATIONS

I am a self-motivated, certified paralegal (CLA 2013) with knowledge and background in real estate and a strong academic record (3.7 GPA). In addition to the education listed below, I have completed several courses on real estate financing and possess excellent accounting skills.

#### EDUCATION

2016 *Bachelor of Arts Degree—ABA-Approved Program*  
University of La Verne, Legal Studies Program, La Verne, CA  
Major: Paralegal Studies; Minor: Business Management  
Emphasis on Real Property and Land-Use Planning, Legal Research and Writing.

#### EMPLOYMENT

2015–2016 *Intern, Hansen, Henault, Richmond & Shaw*  
Researched and drafted numerous real estate documents, including land sale contracts, commercial leases, and deeds. Scheduled meetings with clients. Participated in client interviews and several real estate closings. Filed documents with county.

2010–2015 *Office Assistant, Eastside Commercial Property*  
Maintained files and handled telephone inquiries at commercial real estate company. Coordinated land surveys and obtained property descriptions.

2009–2010 *Clerk, LandPro Title Company*  
Coordinated title searches and acted as a liaison among banks, mortgage companies, and the title company.

2007–2010 *Clerk, San Jose County Recorder's Office*  
Handled inquiries from the public and provided instruction to those seeking to look up records via microfiche.

and experience. You can list specific courses that you took, student affiliations, or particular skills—such as computer competency in certain programs—that you acquired during your paralegal training.

### Do Not Include Personal Data

Avoid including personal data (such as age, marital status, number of children, gender, or hobbies) in your résumé. Employers are prohibited by law from discriminating against employees or job candidates on the basis of race, color, gender, national origin, religion, age, or disability. You can help them fulfill this legal obligation by not including in your résumé any information that could serve as a basis for discrimination. For the same reason, you would be wise not to include a photograph of yourself with your résumé. It is to your advantage to list volunteer activities, but not hobbies or favorite activities.

### Proofread Your Results

Carefully proofread your résumé. Use the spelling checker and grammar checker on your computer, but do not totally rely on them. Have a friend or instructor review your résumé for punctuation, grammar, spelling, content, and visual appearance. If you find an error, you need to fix it. A mistake on your résumé tells the potential employer that you are a careless worker, a message that could ruin your chances of landing a job.

### The Cover Letter

To encourage a recruiter to review your résumé, you need to capture her attention with a cover letter that accompanies the résumé. Because the cover letter is usually your first contact with an employer, it should be written carefully. It should be brief, perhaps only two or three paragraphs in length. Exhibit 2.7 on the following page shows a sample cover letter. When possible, you should learn the name of the person in charge of hiring (by phone or e-mail, if necessary) and direct your letter to that person. If you do not know that person's name, use a generic title, such as "Human Resources Manager" or "Paralegal Manager."

**CONTENT IS KEY.** Your cover letter should point out a few things about yourself and your qualifications for the position that might persuade a recruiter to examine your résumé. As a recently graduated paralegal, for example, you might draw attention to your academic standing at school, your eagerness to specialize in the same area of law as the employer (perhaps listing some courses relating to that specialty), and your willingness to relocate to the employer's city. Your job is to convince the recruiter that you are a close match to the mental picture that he or she has of the perfect candidate for the job. Make sure that the reader knows when and where you can be reached. Often this is best indicated in the closing paragraph of the letter, as shown in Exhibit 2.7 on the following page.

As with your résumé, read through your letter several times and have someone else read it also to make sure that it is free from mistakes and easily understood. You should use the same type of paper for your cover letter as you use for your résumé.

**HARD COPY IS BEST.** What about e-mailing your cover letter and résumé to prospective employers? This is a difficult question. On the one hand, e-mail is much faster than regular mail. On the other hand, an e-mail résumé does not look as nice. While some firms are accustomed to receiving applications by e-mail, others are not, and attorneys generally prefer traditional résumés. If the job you are applying for was advertised online or if the employer provided an e-mail address for interested job candidates to use, then e-mail is probably appropriate. Generally, though, job candidates who submit applications by e-mail should also send, by regular mail, printed copies of their letters and résumés.

**EXHIBIT 2.7**

A Sample Cover Letter

**ELENA LOPEZ**

1131 North Shore Drive

Nita City, NI 48804

Telephone: (616) 555-0102 • E-mail: elopez@nitonet.net

August 22, 2016

Allen P. Gilmore, Esq.  
Jeffers, Gilmore & Dunn  
553 Fifth Avenue, Suite 101  
Nita City, NI 48801

Dear Mr. Gilmore:

I am responding to your advertisement in the *Vegas Law Journal* for a paralegal to assist you in personal-injury litigation. I am confident that I possess the skills and qualifications that you seek.

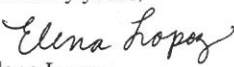
As you can see from the enclosed résumé, I received my paralegal certificate from Midwestern Professional School for Paralegals after obtaining a Bachelor of Arts degree from the University of Wisconsin. My paralegal courses included litigation procedures, legal research, legal investigation, and legal writing, and I graduated with a G.P.A. of 3.8.

After completing school, I obtained a position with a legal aid office, where I worked for several years and honed my legal research and writing skills. My current position with Caldwell Legal Clinic has provided me with valuable experience in preparing personal-injury cases for trial. I enjoy this area of law and hope to specialize in personal-injury litigation.

I am excited about the possibility of meeting with you to learn more about the position that you have available. A list of professional references is provided in my résumé, and a brief writing sample is attached for your perusal.

Please contact me to schedule an interview. You can contact me by phone after 3:00 p.m., Monday through Friday. I look forward to hearing from you.

Sincerely yours,

  
Elena Lopez

Enclosures

### List of Professional References

If a firm is interested in your application, you will probably be asked for a list of references—people the firm can contact to obtain information about you and your abilities. An instructor who has worked closely with you, an internship supervisor who has knowledge of your work, or a past employer who has observed your problem-solving ability would make excellent references. You should have at least three professionally relevant references, but more than five references are rarely necessary. Avoid using the names of family members, friends, or others who are clearly biased in your favor.

List your references on a separate sheet of paper, making sure to include your name, address, and telephone number at the top of the page, in the same format as on your résumé. For each person on the list, include current institutional affiliation or business firm, address, telephone number, fax number, and e-mail address. Make it easy for prospective employers to contact and communicate with your references.



**PERMISSION IS REQUIRED.** When creating your list of references, always remember the following rule: never list a person's name as a reference unless you have that person's permission to do so. After all, it will not help you win the position you seek if one of your references is surprised by a call.

Obtaining permission from legal professionals to use them as references also gives you an opportunity to discuss your plans and goals with them, and they may be able to advise you and assist you in your networking. Additionally, it gives you a chance to discuss with them the kinds of experience and skills in which a prospective employer may be interested.

**BUILD YOUR CONTACTS.** Start building your list of possible references early in your studies. Dressing professionally in class, volunteering, arriving on time for class, being prepared, and turning in professional work for assignments are all ways to make a good impression on a professor. Keep in touch with those you want to use as references later. The more they know about you, the more effective they will be as a reference.

### Your Professional Portfolio

When a potential employer asks you for an interview, have your professional portfolio ready to give to the interviewer. The professional portfolio should contain another copy of your résumé, a list of references, letters of recommendation written by previous employers or instructors, samples of legal documents that you have composed, college or university transcripts, and any other relevant professional information, such as proof of professional certification or achievement. This collection of documents should be well organized and professionally presented. Depending on the size of your portfolio, a cover sheet, a table of contents, and a folder or commercial binder may be appropriate.

**SHOW WHAT YOU CAN DO.** The interviewer may be interested in your research and writing skills. Therefore, your professional portfolio should contain several samples of legal writing. If you are looking for your first legal position, go through your paralegal drafting assignments and pull out those that reflect your best work and that relate to the job skills you wish to demonstrate. Working with an instructor or other mentor, revise and improve those samples for inclusion in the portfolio. You might also use documents that you drafted while an intern or when working as a paralegal. These documents make excellent writing samples because they involve real-life circumstances. Be careful, however, and always remember, on any sample document, to completely black out (or "white out") any identifying reference to a client unless you have the client's permission to disclose his or her identity or if the information is not confidential.

Always include a résumé, as well as a list of references, in your professional portfolio, even though you already sent your résumé to the prospective employer with your cover letter. Interviewers may not have the résumé at hand at the time of the interview, and providing a second copy with your professional portfolio is a thoughtful gesture on your part.

**FOCUS ON YOUR KEY ATTRIBUTE.** Some interviewers may examine your professional portfolio carefully. Others may keep it to examine later, after the interview. Still others may not be interested in it at all. If there is a particular item in your portfolio that you would like the interviewer to see, make sure you point it out before leaving the interview.

### Digital Marketing

An important part of marketing yourself is ensuring that you have a presence online that helps potential employers evaluate your skills. We discuss the effective use of social media for career enhancement in the next section. Here we just note that your entire online presence needs to show that you are a professional who is able to handle the demands of a career that involves confidential information. Employers are likely to

employee. While many attorneys are capable of writing useful content for a website or other media site for the firm, they may not have the time, interest, or ability to post effectively, so that is a role you can play. Smaller firms are unlikely to have a media specialist on the payroll, so social media-savvy paralegals can play a leadership role in this area. If your firm does not have a social media policy, volunteer to draft one.

### Watching for Opportunities

Use Twitter and other social media to follow employers you might be interested in working for in the future. Many employers now use advertising links on Twitter to find candidates, so following your targeted employers can be helpful in learning about opportunities. Once you've got an interview, you can use your knowledge of the firm gleaned from watching its Twitter feed to ask questions that show you have real interest in the firm. Effective use of Twitter and other social media can help you promote yourself and maximize your chances of landing a good job, keeping a job, and moving to a better job. Promote yourself to help maximize your chances of landing a good job, keeping a job, and moving to a better job.

## KEY TERMS AND CONCEPTS

bankruptcy law 29	freelance paralegal 24	probate court 28
bonus 33	independent paralegal 25	real estate 26
civil law 30	insurance 28	state bar association 36
contract 26	intellectual property 29	tort 26
corporate law 26	legal nurse consultant (LNC) 31	trade journal 36
criminal law 30	legal technician 25	trust 29
defendant 25	litigation 25	will 28
elder law 31	litigation paralegal 25	workers' compensation statutes 28
environmental law 30	networking 36	
estate planning 28	plaintiff 25	
family law 30	probate 28	

## Chapter Summary

## Career Opportunities

### WHERE PARALEGALS WORK

- 1. Law firms**—More than two-thirds of paralegals work in law firms—most of them in firms employing fewer than twenty attorneys. A small firm allows a legal assistant to gain experience in a number of areas of law and to work in a less formal environment. Paralegals in small firms often earn less than those in large firms, however, and often must perform secretarial duties. Paralegals working for large firms tend to specialize in a few areas of law, enjoy better employee benefits, and have more support staff.
- 2. Corporations and other businesses**—About one-fifth of legal assistants work in corporations. Corporate legal departments may have hundreds of attorneys and paralegals on staff. Paralegals working for corporations work regular hours, do not have to be concerned with billable hours (discussed in Chapter 3), and generally receive above-average salaries. They may specialize in certain aspects of corporate law. In addition, paralegals work in many other public and private institutions, such as insurance companies, banks, real estate companies, title insurance companies, legal-software companies, and law schools.
- 3. Government**—Paralegals work in many government administrative agencies, such as the Social Security Administration. Other employment opportunities exist with legislative offices, public prosecutors'

offices, public defenders' offices, and federal and state courts.

4. *Legal aid offices*—Some paralegals find it rewarding to work in legal aid offices, which provide legal services to those who find it difficult to pay for legal representation. These offices are largely funded by the government, but some support comes from private foundations.

5. *Freelance paralegals*—Some experienced paralegals own their businesses and work for attorneys on a contract basis. This work can have more flexible working hours and often can be done from a home office. The success (and income) of a paralegal in this area depends on the person's skill, business sense, and motivation.

## PARALEGAL SPECIALTIES

Many paralegals specialize in one or two areas of law. The five areas in which the largest numbers of paralegals currently specialize are litigation, corporate law, contract law, real estate law, and personal-injury law. Other areas in which a legal assistant can specialize include insurance

law, employment and labor law, estate planning and probate administration, bankruptcy law, intellectual property law, environmental law, family law, criminal law, elder law, and legal nurse consulting.

## PARALEGAL COMPENSATION

Salaries and wage rates for paralegal employees vary. Factors affecting compensation include location, firm size, years of experience, and type of employer (law firm, corporation, or government agency). When evaluating a

job, paralegals should consider not only salary or wages but also job benefits, such as insurance coverage, sick/vacation/holiday leave, and pension plans.

## PLANNING YOUR CAREER

Career planning involves three steps: defining your long-term career goals, devising short-term goals and adjusting those goals to fit job realities, and reevaluating your

career and career goals after you have had some on-the-job experience.

## LOCATING POTENTIAL EMPLOYERS

When looking for employment, paralegals should apply the investigative skills that they learned in their paralegal training.

1. *Networking*—Many jobs come through networking with other professionals. You can begin networking while you are a student. If your local paralegal association allows students to become members, join the association. Knowing others in the legal community is a great asset when looking for a job.
2. *Finding available jobs*—You can locate potential employers by reviewing published and posted information about law firms and other possible employers. Advertisements can be found in trade journals, in newspapers, on the Internet, and at your school's placement office. Check legal directories for lists of law offices.
3. *Job-placement services*—
  - a. **SCHOOL PLACEMENT SERVICES**—Paralegals should stay in contact with their school's placement office, which is often staffed with personnel trained to assist paralegals with job hunting.
  - b. **LEGAL STAFFING OR PRIVATE PLACEMENT COMPANIES**—Paralegals may locate employment through private placement companies. Usually, the employer pays the placement company's fees, and the company recruits candidates for the position and schedules interviews. Placements may be for temporary or long-term positions. Paralegals can find out about job-placement companies through school program directors, local paralegal associations, state bar associations, or the Web.

## MARKETING YOUR SKILLS

1. *The application process*—Prepare a professional résumé to outline your educational and work background. Do not include personal details. The cover letter that accompanies your résumé represents you,

so draft it carefully. You should also have available a professional portfolio and a list of persons who have agreed to be professional references.