

## The Estrin Report

Created for professional paralegals -- not of a certain level, specialty or firm -- but of a particular attitude.

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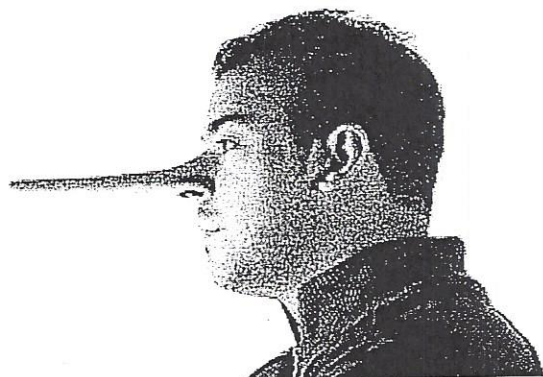
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### What Attorneys Really Think About Paralegals - The Inside Scoop



Have you ever been curious, even just a tiny bit, about what attorneys really think about paralegals? You can use a little emotional intelligence that might help. You know the new science: interpreting expressions, analyzing perceptions and evaluating emotions.

Or, you can go right to the source and just ask - which is exactly what I did. Why wait? The world goes around fast enough these days and with the speed careers move and change, right from the horse's mouth seems to be the best bet to find out.

I went to Allen Brody, General Counsel for the Organization of Legal Professionals and an attorney for thirty years. He is also President for the Paralegal Knowledge Institute and teaches a number of online classes. The whipped cream on all of this is that he has worked closely with paralegals since almost the start of his career. I figured, who would know better?

Here's what he told me:

*CBE: Let's talk a little about how attorneys these days feel about paralegals. In general, do they see a value?*

*ASB: When I first started out, paralegals were a novelty, an added expense. There was a question mark, "What do I do with this person? This added payroll entry seemed like a luxury. That's all gone by the wayside. Attorneys definitely see paralegals as a means to keeping costs under control; saving time by delegating certain work to a competent lower level and the ability to create a profit center. If attorneys don't see this now, there's something wrong somewhere, in my opinion.*

*CBE: Why do some attorneys fail to realize how paralegals can handle much more sophisticated work than what they are presently doing?*

*ASB: Attorneys simply don't know in what areas paralegals are trained. They have no clue what they learned in school, rarely take the time to find out and even if they did, they may not trust in the education. The flip side is that paralegals make an assumption an attorney is well-versed with what paralegals know. Not so. Personally, I'd like to see a class in law school on utilization of paralegals. Then there's the problem of training. Few attorneys have time or the ability to personally train paralegals, It becomes much easier to keep them doing what they're doing. It's the old, "If it's not broken, don't try to fix it" routine."*

*CBE: What's the best way to approach an attorney for a higher level of work?*



ASB: Don't wait for the attorney to automatically hand you an assignment you haven't done before. It's probably not going to happen. You're going to have to take the first step. A good way to do that is to know what's coming up. There's a deposition? You need to find out when. Why? Because you're going to give him/her a list of everything that you can do surrounding that deposition, even if it includes assignments you've never had before. It usually is not going to occur to the attorney that you can do these things. How would they know?

Let's say there's going to be some type of motion filed after the deposition. You need to approach the attorney well ahead of time and let him/her know that you can do the motion that is sure to follow.

Put him on notice. Don't expect a negative answer because that's what you'll then get. Frame the question in such a way that they have no choice except to agree. Wrong question: "Would you like me to file the motion after the deposition?" Answer: "No." Why would they answer "no"? It's easier and you gave them a 50/50 chance of being negative. Too risky. Tighten up that ratio. Instead, say, "I can prepare the SuchandSuch motion for you after the deposition. Would you like it Thursday or would Wednesday be better?" Now, how can you argue with that?

CBE: *What if the paralegal doesn't know how to do that assignment?*

ASB: Better find out. Don't rely on the attorney to train you. Take a class or a webinar. Look it up. Seek out someone in the firm who can train you. Tell the attorney you have never done that type of assignment. You're going to have to sell him/her on the idea. Either get the training or let him know you have the training. Don't sit there and wait.

What you do is bargain for time. "Look, an associate will take x amount of hours to do this assignment. I'll take y. It will be less expensive for the client and free you up so that you can take on more sophisticated work. Let's do this: I'll spend x amount of hours on the assignment. I will bill half the time and put the other half in admin because of training. I will take 1/2 hour (or whatever) of your time to go over it and I won't bill that time anywhere. The next time this kind of assignment comes up, you can automatically give it to me and we'll both know it will be done properly." There. You've just trained the trainer how to train you.

CBE: *Let's talk politics. Why can some attorneys work with paralegals until midnight but wouldn't be caught dead having lunch with them. What's with the caste system?*

ASB: Arrogance. Don't try to change things. It's not going to happen. It's not a reflection on you. It's all about the attorney's ego. These are things beyond your power to change.

CBE: *What if the attorney sees me as his "golden girl/boy" and gives me too much work?*

ASB: Get help. Always, always, figure out the revenue it's going to generate. Otherwise, the firm sees this as an expense that is going to eat into their profit which is going to affect their bonus. You reach an attorney's mind through profit and loss. If you're in-house, figure out how much time you're going to save that attorney and present it that way.

CBE: *Do attorneys see paralegals as a threat to their billable hours?*

ASB: The younger ones don't. The older ones started practicing without paralegals. While a lot of them have gotten used to it, some habits are hard to change. Don't worry. Those attorneys are going to retire soon. You'll have a whole generation of attorneys who do not expect to practice law without a paralegal.

CBE: *What's the best way for a paralegal to get ahead?*

Get training. Don't just get CLE because your state requires it or you're abiding by NALA's requirements. Stay updated because you want to. Otherwise, you end up doing routine and repetitious work. Just clocking in and clocking out. You fall behind while everyone else moves ahead and you don't know why you're not getting good raises or juicy assignments. It's because you expect the firm to "take care of you" or pay for your training. Not a

good way to advance. With anything you want via the Internet available at your fingertips via the Internet, it's behind the times not to seek out additional training.

Remember: Attorneys are required to get CLE and like attracts like. If you're not constantly getting more education, attorneys are not likely to hold you in as high esteem as they could. This is a group that values education.

You have to let them know that you receive more education all of the time. Mention it in a conversation. "In my suchandsuch course I'm taking..." or send them an article that relates to a matter they are currently involved and say, "We discussed this in a webinar yesterday and I thought you might find it of interest." Get the word out. You are your own PR machine. Take advantage of it. Attorneys will only tolerate stagnation so far.

I recall one paralegal telling me that her firm is just going to have to deal with the fact that she is not very good when it comes to technology. Oh, really? This entitlement attitude is not going to fly. Paralegals cannot exist today without technology. Attorneys will not admit it but they rely on paralegals to handle the technology or to teach them what to do. I give this paralegal six months before she's out on her you-know-what.

*CBE: Your best advice to paralegals coming right from an attorney who works closely with them and who trains them is.....*

ASB. Think about the future of your career. Things are changing.

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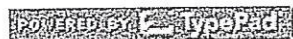
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