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Paralegals Connect Newsletter

www.ParalegalsConnect.com

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Paralegals Connect: Who We Are

"Our Groups are Accelerating Paralegals, Future Paralegals, and Future Attorneys Worldwide"

Paralegals Connect was established in 2013 and we have grown significantly since that time. We now have five groups which are all dedicated to providing valuable information and support to succeed in the legal industry. Our groups provide support at every stage of your paralegal career.

Currently, our groups have approximately 13,660+ combined active members worldwide. We have become the largest paralegal networking group worldwide!

Paralegals Connect
https://www.facebook.com/groups/ParalegalsConnect
Our first and largest group created for paralegals and paralegals-in-the-making to interact with other paralegals worldwide and provide valuable information to succeed in the paralegal industry.

Paralegals Connect: Study Group
https://www.facebook.com/groups/ParalegalsConnectStudyGroup
A group created for those attending a paralegal school or studying for a Paralegal Certification Exam where you can post questions about your legal studies.

Virtual/Freelance Paralegals Connect
https://www.facebook.com/groups/Virtual.FreelanceParalegalsConnect
A group designed for Virtual and/or Freelance Paralegals and those intending to break free of their 8-5 to go out on their own.

Paralegals Connect Employment Board
https://www.facebook.com/groups/PCEmploymentBoard
A group designed for those seeking legal employment or internships, and for those seeking to hire legal professionals for their firm.

LSAT Connect
https://www.facebook.com/groups/LSATConnect
A group designed for those studying for the Law School Admission Test.

We would like to thank our Affiliates because they are the ones that make it possible to print and distribute our Newsletter to our members, various paralegal schools throughout the US, and large firms throughout the US.

Becoming an Affiliate with our groups offers world-wide visibility to approximately 13,660+ combined group members in the legal industry.

****Only official Affiliates are permitted to advertise within our Groups.***

Meet our Affiliates

Paralegals Connect is always looking for Affiliates that can offer our paralegals, legal assistants, future paralegals, and future attorneys the skills and services to help them succeed in their legal careers. We strive to provide information to the latest resources, education, and cost-effective opportunities that will enhance the skills, knowledge, and competencies of our members.

To Become an Affiliate with Paralegals Connect please contact Crystal@ParalegalsConnect.com for additional information or visit http://www.paralegalsconnect.com/*become-an-affiliate.html.*

Center for Advanced Legal Studies

Center for Advanced Legal Studies was founded in 1987 to provide education and training for those seeking to enter the legal profession as a paralegal. The **Paralegal Certificate** program provides students with essential paralegal skills and includes courses such as Introduction to Law and Ethics, Legal Research and Writing, Interviewing and Investigation, Corporate and Business Law, Civil Procedure, Computers and the Law, Family Law and Personal Injury. Students can choose from on-campus morning or Saturday courses, or attend 100% online.

Those seeking a more comprehensive preparation for their paralegal career, or those seeking their first college degree, can continue to the Associate of Applied Science Degree Paralegal program which includes additional paralegal electives such as E-Discovery, Oil and Gas, Intellectual Property, and Immigration Law. Academic general education courses round out this paralegal degree program.

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CENTER FOR ADVANCED LEGAL STUDIES

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We look forward to being a quality resource for the Paralegals Connect community! Our goal is to ease your workload. You can assign your Service of Process needs to us with confidence, then focus on other priorities. Let us do the legwork of ensuring that your documents are delivered successfully both near and far!

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COBBLESTONE software
Leaders in Contract Management Software℠

CJC Judgment and Paralegal Services

CJC is an Independent Legal Support and Financial Services Company. CJC is a non-lawyer help with legal, business, and financial solutions. Located in the Finger Lakes Region of Upstate NY and serving all NYS businesses. Services Include: Notary/Signing Agent services, Process Serving, Judgment Enforcement, Skip Tracing, Tenant Screening, Landlord and Property Management Services, Legal Forms, Consulting, Business Advisory, Business and Commercial Real Estate Loans, Tax Filing, Business Loans, Estate Planning Services, and more. *CJC is always seeking NY paralegals to join her Independent Affiliate team. For more information visit* **www.cjcparalegal.com**, *email ccentolella@cjcparalegal.com, or contact 315-256-0601.*

CJC Judgment & PARALEGAL SERVICES

Meet our Admins

Crystal Cornett

Founder of Paralegals Connect. Crystal Cornett has been a Paralegal since 2004. She earned her first Paralegal Certificate from the University of Houston in March 2006.

Crystal received the degree of Associate of Applied Science from the Center for Advanced Legal Studies and her second Paralegal Certificate in 2010. She is a member of the Lambda Epsilon Chi National Honor Society for Paralegal / Legal Assistant Studies (LEX).

Crystal currently practices Real Estate Law in Houston, Texas. Crystal also currently serves on the paralegal advisory committee for The Center for Advanced Legal Studies.

Eunice Colón

Eunice has been a paralegal since 2003. Eunice has a bachelor's degree in Psychology and in Spanish from the University of Houston.

Eunice is also the owner of a hand-made jewelry business, and she has extensive experience in creating and running Facebook Groups and websites.

Eunice currently practices Real Estate Law in Houston, Texas.

Kira Muren

Kira Muren joined the Paralegals Connect admin team in 2018. She has been working as a civil litigation paralegal in Frederick, Maryland since 2013.

Kira has her Associates Degree in Paralegal Studies and is working on her Bachelor's in business administration at Frostburg State University.

In addition to work and school, Kira also currently serves on the paralegal advisory committee for Frederick Community College.

Katy Rodriguez

Katy has been a paralegal since 2014. She began her legal career at 16 as a file clerk in a small law office in her hometown. Katy completed her Level 2 Certificate in Paralegal Studies in 2011 and her Associate of Applied Science in Paralegal Studies in 2013. Katy is a member of the Capital Area Paralegal Association of Texas and is currently studying to take the NALA CP Certification Exam.

Currently, Katy is the paralegal for a solo practice that specializes in Business Law & Litigation, Corporate Law, Oil, Gas & Mineral Law, Bankruptcy, and Creditor's Rights Litigation in the Permian Basin and Fort Worth areas of Texas.

Paralegals Must Have the Write Stuff!

By: Tami Riggs

Law firms place a high value on writing skills when hiring paralegals

The paralegal profession relies heavily on communication. **Writing competency for those who enter the profession is essential.** Paralegals gather information and prepare a wide range of documents required to support, verify and complete a variety of legal transactions. Everything they draft - every correspondence they send - must be specifically tailored in a comprehensive and informative way that leaves no room for misrepresentation.

Law firms place a high value on writing skills when hiring paralegals, so it is common practice for a writing test to be requested during the interview phase. A writing test will typically measure a candidate's ability to:

- Properly format sentences and paragraphs clearly and concisely;
- Employ rules of grammar, punctuation and correct spelling; and
- Translate thoughts into sentences within a set time frame.

Take note! There is a perceived relationship between poor writing and ability.
Many firms I work with tell me they find a high correlation between how a candidate scores on the pre-employment writing test and how well they can perform on the job.

Sloppiness in writing, misspellings, and bad grammar will raise concerns about competency and impact the way a paralegal is viewed.

A few errors may seem minor, but hiring managers notice!

It can be damaging for any type of legal communication to have errors, even small ones. Not only do they diminish the message, but the consequences can expose law firms to risks well beyond a poor first impression. Bad writing can result in lost clients, overturned cases, and even court reprimands. Paralegals spend much of their time writing: drafting emails, letters, briefs, memorandum, agreements, resolutions, motions, contracts and many other legal forms that are both simple and complex. Hence, good writing skills are a valuable asset and significant to a paralegal's success. Paralegals must display a high standard of competency in this area and write to the level expected from the legal industry.

My advice - hone your skills. Good writers are seen as credible, competent, and reliable. Continually work to improve your writing techniques and your vocabulary. Paralegals who master the art of writing accurately and precisely set themselves apart from peers and coworkers and are better positioned for more lucrative roles and career advancement.

To improve, practice using the C's of effective communication and write according to the following principles:

- Clarity - use structured, meaningful sentences with simple and familiar words
- Completeness - include relevant facts; check for the five W's (who? what? where? why? when?)
- Conciseness - avoid lengthy legal phrases, wordy expressions and redundancy
- Concreteness - choose words that are clear and active
- Consistency - follow correct formatting guidelines for the document
- Continuity - organize and connect ideas in an orderly fashion and a logical sequence
- Correctness - consider grammar, punctuation, tense, spelling, citation format and legal authority
- Courtesy - be sincere, honest and tactful
- Consideration - emphasize the positive and write with the perspective of readers in mind.

Paralegals Must Have the Write Stuff! (Continued)

Learning to write effectively is an essential building block of any paralegal training program and can help you stay on top in a competitive market. If you are pursuing a paralegal certificate and haven't yet earned a degree, consider enrolling in an Associate of Applied Science Degree Paralegal Program.

Paralegal degree programs include the added benefit of English Composition and other general education courses that can help improve your communication skills and writing abilities.

P.S. Did you know that while preparing this article about "good writing" I experienced a bit of distress surrounding my own use of the C's?
Did I have the Write Stuff? I invite your comments!

Tami Riggs is Director of Outreach and Career Services at Center for Advanced Legal Studies in Houston, Texas. She has an extensive and varied professional background that spans criminal justice, paralegal education, and international school marketing and communication. Her career has been guided by a focus on developing strategic partnerships that facilitate school growth and student opportunity. She holds a Bachelor of Science Degree in Criminal Justice from Texas State University.
Feel free to connect with her on LinkedIn

Paralegal Program Length: Don't sell yourself short

By: Eric H. Happe

Make sure the paralegal program meets industry recommended standards and contains at least 24 semester hours (38.4 CEUs) of skills-based paralegal training.

As a paralegal, you will work with attorneys who value higher education and have devoted a significant amount of time and expense to pursue a legal career. Your paralegal education will matter to them.

When considering where to receive your paralegal education, ask yourself: Is the program comprehensive enough to give you the skills, knowledge, and confidence you need to work alongside an attorney?

One way to make certain is to evaluate the program length to ensure adequate attention is paid to critical subject areas. Further, recognized authorities in paralegal education have established minimum standards regarding program length. The **State of California** requires "the successful completion of a minimum of 24 semester, or equivalent, units in law-related courses and that has been accredited by a national or regional accrediting organization"[i] as one criterion for a person to call themselves a paralegal.

The **American Bar Association** recommends that paralegal programs contain at least 18 semester hour credits of legal specialty courses in addition to 18 semester hours or more of academic general education courses. Their recommended total program length amounts to 60 semester hours or more.[ii] For most, this means the completion of an Associate of Applied Science Degree in Paralegal Studies, or the completion of a Paralegal Certificate program after previously earning a college degree of two years or higher.

These recommendations are consistent with the **Bureau of Labor Statistics (BLS)** which states the typical entry-level education requirement is "an associate degree in paralegal studies from a postsecondary institution." The BLS continues to emphasize that "many employers may prefer, or even require, applicants to have a bachelor's degree", and "because only a small number of schools offer bachelor's degrees in paralegal studies, applicants will typically have a bachelor's degree in another subject and earn a certificate in paralegal studies."[iii]

Consequently, "your choice of a paralegal program will have a profound impact on your opportunities for success in the career. Since there is a wide range in the quality of programs, choose carefully. Give yourself the best possible chance to succeed in this exciting profession."[iv]

"Paralegal education programs are offered in many formats and lengths. Various kinds of public and private institutions offer paralegal education, including community colleges, four-year colleges and universities, business colleges and proprietary institutions. These various institutions make it possible for persons with diverse backgrounds to enter the profession."[v]

The most common program types and lengths are:

Associate Degree Programs: ≈ 60 semester hours
Baccalaureate Degree Programs: ≈ 120 semester hours
Certificate Programs: varies in length considerably
Master's Degree Programs: ≈ 30-36 graduate semester hours

Any of the degree program types listed above are likely to contain at least the minimum recommended 24 semester hours of law-related courses. Most degree programs are also accredited, and as such have met standards for quality. Another advantage of accredited institutions is their ability to provide students with the opportunity to participate in Federal Student Aid in the form of student loans and grants. "Financially, students that use the services of unaccredited colleges waive any federal or state financial aid, and in some cases are also exempt from receiving certain scholarships and grants."[vi]

Paralegal certificate programs can vary tremendously in their length, scope and rigor. Some certificate programs are accredited and are more likely to contain the recommended 24 semester hours of law-related courses. It is probable that these programs adhere to standards of high quality and are of significant rigor to prepare one to enter the paralegal profession with confidence.

Unfortunately, some programs claim that a person can obtain the required education and training in a matter of a few weeks or months. This is clearly untrue, and these institutions prey on a person's desire to obtain a paralegal certificate quickly without having to devote much time or incur much expense.

This has become such a problem that the **American Association for Paralegal Education** published a position statement decrying these practices.

In recent years there has been a proliferation of short-term entry-level paralegal training programs of very limited duration, some with as few as 125 clock hours (which is less than nine semester credit hours). These programs do a fundamental disservice to the legal profession by creating unrealistic expectations in both employers and students that a quality paralegal education has been delivered when such may not be the case. Ape opposes the proliferation of these short-term paralegal programs because these programs do not meet minimal standards recognized by virtually all paralegal educators, lawyers and paralegals. These programs undermine the legitimate educational efforts of AAfPE institutions that seek to provide quality entry-level paralegal education. These short-term programs are doing a disservice to the students who enroll in them, to those who employ paralegals, and to the legal profession.[vii]

Surprisingly, many of these non-accredited short-term programs are housed at notable colleges and universities, often within their continuing education departments. Students may feel they are attending these prestigious universities, when in fact they are taking non-credit courses often developed by a 3rd party vendor. Most of these programs operate without regulation or oversight and are regarded as profit centers for the college or university. Before enrolling, be sure to ask about their tuition refund policies, their graduation and employment rates, and what governmental or educational oversight measures are in place to ensure the quality and effectiveness of the program. If the answers don't measure up to your expectations, rest assured you have many options available to pursue your paralegal education at other institutions.

The decision on which paralegal program to attend is an important one. Careful research and planning are essential. Choosing a paralegal program that is fully accredited and contains at least 24 semester hours of law specialty courses is a great place to start. Don't sell yourself short on the length of your paralegal program. Your education is an important investment in your future.

Eric H. Happe is Director of Distance Education at Center for Advanced Legal Studies in Houston, Texas. He is a graduate of the Paralegal Certificate program and worked as a paralegal for six years before returning to Center for Advanced Legal Studies in various administrative capacities. Eric managed the development of online paralegal programs at CALS and works closely with faculty and staff to provide students with quality paralegal education and training opportunities both on campus and online. Please feel free to connect with him on LinkedIn

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[i] California Business and Professions Code 6450(c)(2)

[ii] American Bar Association Standing Committee on Paralegals, "ABA Guidelines for the Approval of Paralegal Education Programs", on the Internet at https://www.americanbar.org/content/dam/aba/administrative/paralegals/ls_prlgs_2018_paralegal_guidelines.pdf

[iii] Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, Paralegals and Legal Assistants, on the Internet at https://www.bls.gov/ooh/legal/paralegals-and-legal-assistants.htm (visited March 24, 2019).

[iv] American Association for Paralegal Education, "Choosing a paralegal program", on the Internet at https://www.aafpe.org/page/ParalegalProgram (March 27, 2019)

[v] ibid

[vi] National Consumer Advocacy Commission, "Counterfeit Degrees - Fighting the Billion Dollar Scam: Taking a Non-Accredited Course", on the Internet at http://www.counterfeitdegrees.com/accreditation/non.htm (March 27, 2019)

[vii] American Association for Paralegal Education, "Policy Statement Regarding Short-Term Programs", on the Internet at http://www.aafpe.org/About_AAfPE/files/Short-Term_Statement.pdf (March 27, 2019)

PARALEGAL.EDU

CENTER FOR ADVANCED LEGAL STUDIES

Your Paralegal Career Begins Here!

Center for Advanced Legal Studies (CALS) is a private, nationally accredited paralegal college. Established in 1987, our focus is providing exceptional paralegal education to our students and dedicated career services for our graduates.

Specialized Paralegal Training

"100 percent of our resources are devoted to paralegal education and training."

Your Success is Our Priority

+ Expect smaller classes and more attention from instructors.
+ Your personal needs will be addressed with classes designed around your lifestyle.
+ Courses are designed to educate, prepare, graduate, and secure employment.
+ 100 percent of our resources are devoted to paralegal education and training.
+ Practicing attorneys and experienced paralegals teach law specialty courses.
+ Real world skills are emphasized to meet employers' needs.
+ Financial Aid is available for those who qualify. (**FAFSA School Code: 026047**)

Attend Class Online or On Campus

+ **Online** - Complete your program in the most interactive online classroom available. See and talk with your professor and classmates in real-time while attending class on your computer, laptop, smartphone or tablet. We bring the classroom to you.

+ **On Campus** - If a classroom setting is your preference, we've got you covered. Classroom instruction provides traditional in-person lecture and increased opportunity for teamwork and collaboration. Weekday and Saturday classes are available.

Securing Employment after Graduation

+ Career Services. We offer a multitude of services to help graduates begin their careers.
+ Resume Review. Professional guidance in preparing your resume for today's hiring managers.
+ Employer Connections. Leverage our relationship with hundreds of law firms and employers.
+ Personal Focus. You receive personal attention; not a bulletin board or a web job bank.
+ Available Externships. Gain real world experience before you graduate.

Accreditation, Memberships & Associations

- Council on Occupational Education
- Higher Education Coordinating Board
- Texas Workforce Commission
- American Association for Paralegal Education
- National Federation of Paralegal Associations
- National Association of Legal Assistants
- Paralegal Division of the State Bar of Texas

Curriculum

Paralegal Certificate
Essential Paralegal Skills
8 months . 24 semester hours
$9,300

If you already have a college degree or are working toward your first college degree, this program is perfect for you!

Core Courses
- Introduction to Law and Ethics
- Interviewing and Investigation
- Legal Research and Writing
- Corporate and Business Law
- Civil Procedure
- Computers and the Law

+ 2 Electives chosen from
- Personal Injury*
- Family Law*
- Intellectual Property
- Real Estate

* *Recommended for those continuing on to AAS Degree Paralegal Program*

★★★

AAS Degree Paralegal Program
Comprehensive Paralegal Skills
22 months . 62 semester hours
$23,550 *($14,350 after Paralegal Certificate)*

Our Paralegal Degree Program includes all 24 semester hours completed in the certificate program plus an additional 18 to 21 semester hours of law specialty courses. These electives provide students with the opportunity to study some of the most interesting and exciting areas of law.

This program meets or exceeds the law specialty requirements suggested by various state and national paralegal authorities.

Core Courses *(included in certificate)*
- Introduction to Law and Ethics
- Interviewing and Investigation
- Legal Research and Writing
- Corporate and Business Law
- Civil Procedure
- Computers and the Law
- Personal Injury
- Family Law

General Education
- English Composition I
- English Composition II
- General Psychology
- American Government I
- Introduction to Speech Communication
- Anatomy & Physiology I

Advanced Electives
- + 6 Electives including Externship (7 w/o Externship)
- Wills, Trusts and Probate
- Criminal Law and Procedure
- Real Estate
- Intellectual Property
- Immigration Law
- E-Discovery
- Advanced Civil Procedure
- Advanced Research and Writing
- Oil and Gas Law
- Externship

Other Requirements: Business Math

The Pros and Cons of Paralegal Certificate Programs

By: Jackie Van Dyke, M.P.S., CP Certified Paralegal

Paralegal jobs are expected to grow by nine percent from 2016 to 2026 according to the Bureau of Labor Statistics. The American Bar Association defines a paralegal as "a person, qualified by education, training or work experience … who performs specifically delegated substantive legal work." It seems as though this may be the time to evaluate educational paths to becoming a paralegal. One option is to earn a paralegal certificate. A certificate program is designed for those wishing to enter the legal profession, those wanting to move up in their career, or those wishing to update their skills. A certificate program allows one to achieve relevant legal education in a relatively short period.

There are a variety of certificate programs available to choose from. Once you have identified programs you are interested in, reach out to the program director or admissions department and ask questions. You could also consider speaking to legal headhunters for their opinions of various programs. You may even know an attorney who would be willing to set up some time for an informational interview about the programs he or she is familiar with. Here are some important factors to consider when selecting the program best for you:

Type and Length of Program

One can complete a basic online certificate program in as little as six to eight weeks. While some may consider this as solid preparation for an entry-level position in the legal field, it may be difficult to learn enough about the law and one's role as a paralegal in six short weeks. In some cases, employers will hire college graduates with no legal experience or specialized education.

One can earn an associate degree in paralegal studies at a community college. A paralegal certificate can be obtained while working towards an associate degree in a different field of study. One may have a bachelor's degree in a different subject and subsequently pursue a certificate in paralegal studies. The post-degree certificate programs are lengthier and more rigorous. These programs offer coursework at a more advanced level and can vary in length from four to eighteen months. Boston University ("BU") has a fourteen-week certificate program that includes business law, real estate law, and probate and family law. The Paralegal Education Center for Advanced Legal Studies offers a seven-month certificate program. The program at The George Washington University ("GWU") can be completed in three semesters, and the eighteen credits can be applied toward a master's degree in Paralegal Studies.

Flexibility – Online or Classroom

Online courses allow for 24-7 access to assignments. If enrolling in an online program, be sure to ask if there is an in-person requirement that may necessitate travel or taking time off work to attend. Classroom programs may offer evening programs for those already working; attendance may be mandatory. Attending class in-person may allow for greater access to the professor(s). One may want to confirm whether full-time programs enable a student to opt out for a particular class (perhaps based on finances or a family emergency) and return in the next cycle without penalty.

Affordability

As with the different lengths of programs, there is a wide range of costs. Expert Rating offers an online six-week training course for $199. This program provides a basic overview of the judicial system. One may need to consider an internship once receiving a certificate of completion from this type of program to get work experience. According to their website, a certificate offered at Houston Community College runs $945 inclusive of seven courses that encompass an introduction to law, legal research, and civil litigation.

In further online searching, BU's online paralegal program costs $3,995 including course materials and access to a legal database. A two-month program at the University of Houston runs $4,495. The eight-month program at the Center for Advanced Legal Studies runs $9,300. GWU's certificate program costs approximately $20,000, preparing paralegals to succeed in legal, corporate, healthcare, or government practice.

Opportunity for social interaction and networking

Both communication and interpersonal skills are essential for paralegals. While in school, will you participate in discussion groups? Will you attend "live" webinars? On-campus programs by default have a higher engagement level. Some may prefer in-person collaborating on group projects or assignments. Ultimately, however, finding a paralegal position will be up to you.

Program ranking - Accreditation

Individuals, as well as law firms, may prefer a paralegal certificate from an American Bar Association approved program. Others may feel it advantageous to earn a certificate from a top-ranked or "prestigious" university. Someone may be seeking an international component. Do not forget to consider the expertise and commitment of the faculty in helping you to reach your goal(s). Having access to instructors and the paralegal peer community helps to build a professional network.

Curriculum

Legal research, legal writing, legal computer applications, ethics, contracts, and litigation courses are common. If one is new to the profession, broad exposure to different types of law can be beneficial. If one is seeking advancement, a specific course may be relevant such as intellectual property law or international law.

Will course assignments allow you to practice the skill sets needed to succeed? For example, will you learn legal citation rules? Strong computer skills, research and analysis, and organizational proficiency are all essential qualities for a paralegal. Will you learn effective memo writing strategies? Will you practice drafting pleadings and learn how to create a trial binder?

Career Services

Are resume writing and interview techniques offered? Is job assistance available? Are panel discussions held that may provide conversations about alternative career paths for paralegals who don't want to work in a law firm? Will you understand what a paralegal does upon earning a paralegal certificate? Might there be a job board or an alumni message board available? A panel discussion hosted by a variety of paralegals working in bankruptcy, immigration, probate, intellectual property, and the likes may be invaluable!

Deciding on a Certificate Program

Ultimately, measuring the pros and cons of a paralegal certificate program will be different for everyone. Hopefully, a certificate provides one with the confidence to take the next step. As one student recently shared with me, "the certificate helped me to launch myself professionally." Another student shared the "program content only marginally prepared me for work in the legal field…but the certificate included on my resume helped in the job market." She secured a junior paralegal position within three months of completing her program.

Be realistic about expectations once you have completed your certificate program. Salary may be at the lower end of the spectrum if you have a baseline understanding of the law. Accept that you may start at the "ground floor and need to work your way up." Moreover, the job title may not define your role. Paralegals often do secretarial work, and legal assistants may undertake receptionist duties. A law team is most successful when members support one another.

By: Jackie Van Dyke, M.P.S., CP Certified Paralegal
Jackie is a Certified Paralegal, a Paralegal Studies professor, published author, writing coach, and paralegal student mentor. She formerly worked as a senior trademark paralegal for an international nonprofit corporation. Jackie can be reached at jvandyke2013@gwu.edu.

Apples and Oranges: Are all court reporting companies the same?

By: Deborah-Kay Flagg

With the exception of all pre-suit events, nearly all of the legal proceedings attended by an attorney are recorded for the benefit of the parties involved and ultimately the Court. Large companies like national insurance firms will sometimes negotiate rates with specific national court reporting companies and their assistants are bound to use those specific companies. What if you are not tied to anyone? How do you know which is the best court reporting firm to choose? Surely one is as good as the next?

Not so, fellow legal professional friends. Written out of great experiences balanced by quite horrific experiences during my five years as a legal assistant, this article will hopefully guide you to avoid some of the pitfalls I have fallen into.

Here are a few myths and truths about the business:

- **All reporting companies offer the same quality transcripts.**

The first and most important thing to consider when you call a reporting firm, is to find out how many eyes will look at the transcript before it is delivered to your office. A reputable reporting company will have reporters, transcriptionists, proof-readers and most importantly a transcript manager who reviews the transcript before it is sent to the client. If the company meets those criteria, choose it. Accuracy is always more important than price. A truly great company will offer you both.

- **My attorney will be able to have the transcript the minute it is due:**

Urgency is often a factor in this profession. Can the reporting company you choose ensure that once the transcript is ready, it is available electronically 24/7 for your attorney to access? A company with a cloud-based repository can offer you that. You should never have to wait any longer than 7 days to receive a normal turnaround time transcript. Very important – do Not choose a company where the transcript is the possession of the reporter. When that reporter is on a cruise to Alaska, your transcript is also on that cruise! What you are looking for is a company that uses a cloud-based repository that gives you access to transcripts, exhibits, audio recordings and videos at your convenience, whatever the time or day of the week is.

- **All court reporting companies do service of process:**

Not true. Why should you have to find an outside process server when the best court reporting companies offer process serving as part of their services? Surely a subpoena and notice of deposition and/or trial testimony go hand in hand? This is another question you should ask up front when first calling the company. Take the stress off your own shoulders by letting the court reporting company handle as many aspects of your case as you need. Work smarter – not harder!

- **Stenographers are the only reporting service that offers accurate transcripts.**

When 15th century monks used feather quills and ink to painstakingly transfer words from parchments, penmanship and beautiful page adornments were the order of the day. Take for instance the Bible, a book which has been around for a very long time. With the advent of technology, we can read the Bible and most books, in electronic format. While the old methods were indeed works of art, the words, the meaning, the essence of the messages have remained unchanged throughout the centuries. Digital reporting is part of the modern world.

Digital reporters do not just switch on a tape recorder and re-type the content later. They too use a method of stenography along with the audio tape. Methods aside, the point is that the accuracy of the end product is what is important. A reputable reporting company may use digital reporting. This does not affect the quality or accuracy of the transcript.

- **Court reporting offices are available 24/7:**

Not so, my friends. Most companies have an office presence during regular working hours from which they operate in standard business mode from Monday through Friday. When the physical office closes, does your court reporting company allow you the convenience of ordering a reporter for an event tomorrow that you perhaps forgot to do? What about ordering a transcript from your home or even paying the account electronically when you nearly forgot the deadline?
In an electronic age the best court reporting companies have a website that allow you not only 24/7 access to ordering a transcript (and everything else you need), it will also allow you to schedule a reporter, and look at your account at your convenience.

To sum it up then, when looking for a court reporting company, look for Accuracy, Accessibility, a full-service company, and a modern approach with a 24/7 online presence that meets all your needs.

Written by:
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8 years as front desk administrator Michael Musetta & Associates court reporters
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Assessing Contract Risk: Early Identification and Prevention

By: Rosemary Shields

This post was originally shared in the CobbleStone Software Blog.

Because a contract comes with both opportunity and risk, contract management must include both data analysis and risk prevention.

Contractual agreements contain critical information that can have positive *and* negative effects on an organization. Without procedures in place to identify and monitor contract risk, organizations can be at a disadvantage, possibly leading to higher costs, compliance violations, and, in many cases, unfavorable lawsuits. Learn to prevent these situations by utilizing a strategy to help assess the risk associated with your contracts. Early identification and prevention will allow you and your team to address concerns early on rather than waiting for negative consequences to transpire.

Failure to Prevent Contract Risk May Result in Increased Costs

It's important to review what's written in a contract down to *every* detail. However, this task can be extremely time-consuming for the busy paralegal, **contract administrator**, general counsel, or other legal professional, and the cost additional labor support creates is often overlooked. Because of this, assessing contract risk at this level of detail can be difficult to execute without incurring extra, unnecessary costs and organization's may not realize how much they are spending.

Organizations should have a process in place for assessing contract risk to ensure they prevent as much of it as possible. One way to identify this information is through intelligent software, supported by AI and machine learning, that can help proactively identify risk from recent agreements and send out alerts for overlooked risk (without requiring copious amounts of labor from valuable employees).

Using Artificial Intelligence to Proactively Identify Risk

Intelligent **contract management software** can help you and your team be alerted of contract-associated risk. Leading solutions have advanced capabilities, providing system users with improved contract oversight, proactive risk identification, and continuous risk prevention.

Integrated AI and machine learning tools can be used to assess contract language when adding new contracts to your contract management system while periodically screening old contracts for sensitive data. By utilizing this continuous analysis, you can identify potential risk in the early stages of a contract while also monitoring agreements after the fact. CobbleStone's proprietary tool, CobbleStone AI and machine learning, helps contract professionals with this task, eliminating hours of dreaded contract review and analysis. Check out our blog post on **CobbleStone AI and machine learning** to discover the benefits of a smart **contract analysis** and risk assessment tool

Risk Assessment Mapping with CobbleStone AI

CobbleStone AI gives Contract Insight® users an opportunity to significantly reduce contract risk.

When adding a new contract to CobbleStone's Contract Insight, CobbleStone AI helps identify potential risk by analyzing document text, allowing the system to identify both good and bad language in a contract based on rules-based sentiment and risk-level ratings.

Easily identify opportunities and mitigate risk based on historical data and organizational goals without having to evaluate each contract manually.

Be notified of sensitive data in your system such as:

- PII (personally identifiable information)
- Employee data
- Routing numbers
- Credit card numbers
- SSN (social security numbers)
- And more

You can configure risk analysis rules in your Contract Insight system to run an analysis once a week, once a month, etc. CobbleStone recommends running an analysis once a week to allow enough time for trends to show and for a close-to-real-time data analysis.

Create a Risk Assessment Strategy

A risk assessment strategy can help organizations feel confident they are doing everything possible to stay compliant, avoid unnecessary costs, and be alerted of potential future risk. Use this 3-step risk assessment strategy as a guide to help you and your team identify and prevent unwanted risk.

1. Invest in **smart contract management software**
2. Determine keywords, phrases, and clauses your organization deems a "risk" to alert users of sensitive data
3. Use **smart tools** within your software to analyze contract data and assess any risk associated with each contract

Following these simple steps can help your organization easily identify contract risk and reduce costs.

For an interactive demonstration of these features, and how they can meet your organization's needs, sign up for a **free demo** of our software or email us at **sales@cobblestonesoftware.com**.

Rosemary Shields is a Content Specialist at CobbleStone Software, the leader in contract management software since 1995. Rosemary creates thought-leadership content for both contract and legal professionals, providing solutions for contract management and procurement challenges. Discover more about Rosemary's thought-leadership pieces by visiting the CobbleStone Software Blog.

How Paralegals Can Avoid the Unauthorized Practice of Law

By: Crystal Davis

As we all know paralegals are prohibited from practicing law. Anything we do must be supervised by an attorney. Since the definition of the "practice of law" is so vague, it can be very easy to cross the line. Once that happens the repercussions are very costly. Paralegals can be faced with fines and jail time depending on the severity of the action. We now have committees and groups dedicated to the overseeing of the unauthorized practice of law by paralegals. So, the regulation of such actions as become more closely monitored.

So, what is the practice of law? The Model Code defines the "practice of law" as "the educated ability to relate the general body and philosophy of law to a specific legal problem of a client." Therefore, the distinction between what is and is not practicing law can oftentimes be confusing.

Some situations are easy to decipher as the unauthorized practice of law. Paralegals know that we are not allowed to set or share in attorney's fees, negotiate settlements especially when not working under an attorney's supervision, appear in court or at depositions without an attorney present, sign pleadings, or otherwise hold ourselves out as lawyers. Other situations though are not so clear. Since, the purpose of the paralegal is to help alleviate the workload of attorneys and deal with problems independently, paralegals have more contact with the clients and develop a closer relationship with them. This can easily open the door for us to cross that line. In my research, I ran across some tips that may help us in making sure that we do not cross that line. I found these helpful for not only the new paralegal, but a good refresher for those of us that have been in the field for a time.

The ***first*** and foremost is we should not hold ourselves out as being a lawyer at any time. We must make sure to always identify ourselves as a paralegal and NOT the attorney. It is very easy for clients to become confused, so we must be vigilant in making this clear. Make sure your signature line on any firm correspondence includes your title. You should make sure that any firm business cards or other material includes your title, as to avoid confusion.

The ***second*** and very obvious tip is never to give legal advice. This one is hard because it is difficult to refrain from giving advice to help your clients. We know we can provide status updates and provide other factual information. Under certain circumstances you may have to relay legal advice from the attorney. In those cases, you should make sure that whomever you are relaying the information to understands that the advice is coming from the attorney and is not your opinion or advice.

The ***third*** tip and maybe one that is not common knowledge is that we do not need to supervise the execution of legal documents without a lawyer present. These documents include real estate documents, wills, estates, and others. When legal documents are being signed, it is best to have the attorney meet with the client as these are a form of legal advice. If this is not an option, send the documents prior to the meeting with a letter from the attorney explaining the legal implications of the document(s). Make sure you let the client know that any questions concerning that document should be directed to the attorney. It is important to reference your states statutes on this issue to make sure you are following the proper protocol.

The ***fourth*** tip is a though one. We are to avoid giving advice to our family and friends. It is a very easy to fall into the unauthorized practice of law when your family or friends come to you for advice on a "legal issue". You want to help them, but giving that advice, no matter how accurate it is, is the unauthorized practice of law. You might could contact an attorney you work for in these situations for help. They might be more willing than you think to help your family or friends.

The fifth tip pertains more to virtual/remote paralegals. We are not to draft legal documents for the general public. All legal document drafting should be written for lawyers or their firms. There have been many cases where paralegals take it upon themselves to draft documents for the public without actually being supervised by an attorney. This should NEVER happen. However, recently there have been states that are allowing LLLT's to represent clients without the supervision of an attorney. I believe currently this has been limited to family law representation to try and help with alleviating the cost of pursuing these matters. So, it is wise to make sure you check with your state's rules and statutes on these matters to ensure you do not violate them.

The ***sixth*** tip is if you are in doubt do not do it. If it is a grey area, it is better to err on the side of caution. It is better to keep your job and good standing than to take the risk. Its not only a risk for you, but also for whomever you are performing the service.

The rules for what a paralegal are allowed to do are constantly changing. There seems to be a trend towards paralegals being able to draft legal documents and represent the public without the involvement of an attorney. So, it would be good to make sure you stay up on the statutes and rules of your state.

Article By: Crystal Davis

Crystal is the owner and lead paralegal of Prestige Support Services. She has been a personal injury paralegal for over ten years. She is a member of the Attorney's Information Exchange Group and the Alabama Association of Paralegals. She is married and has two children and a fur baby. Crystal loves to connect with other professionals in the legal field and help make a difference for her clients.

From Paralegal to Attorney with NO LAW SCHOOL In Between

By: Micah Clatterbaugh

My Plan

I had it all planned out. I would tell him this is his last chance to settle before I file a wage claim on behalf of the day laborer I was helping. I would tell him what the law said. I would let him read it for himself. He would make excuses; I would be ready with my response. Just as I planned, he paid right then and there. I thought, "I *like* this whole law thing." That was when I first considered becoming a lawyer, ten years ago.

I had a plan to figure out. I was determined to not go back to school, so how was I going to be a lawyer? I thought, people go to law school but can't pass the bar all the time—maybe you can do it the other way around! So, I looked it up and said, "look at that! I can do an apprenticeship!"

I had it all planned out. I walked into his office, sat down, and said, "Hey Dan, let me take you to lunch." I didn't say why. I made sure I had a copy of the rules with me and I knew them well. I ordered a salad, so I didn't end up wearing ketchup. I said I had a proposal. I paused. I said I wanted to do an apprenticeship under him to become a lawyer without going to law school. (I'd been a paralegal in his firm for a year by then.) That was some six years ago.

"What are you talking about?" is the most common reaction to the idea of becoming a lawyer without going to law school. But, it is common wisdom among lawyers that law school neither prepares you for the bar exam nor prepares you to be a lawyer. It is common knowledge that law school means crushing student loans. If only it was common knowledge that many can bypass law school altogether!

People call it apprenticing or reading the law–the California State Bar calls it the Law Office Study Program—but my favorite term is DIY Law School. I can't take credit for coining the phrase. Somebody called it that playfully early on in my experience, and I've been smiling about it ever since. Unfortunately, I can't credit that person because I don't remember who it was!

California is one of six states that allow some form of a legal apprenticeship instead of law school. So, I studied before my shift every day, and five years later I was a sworn-in, licensed attorney. DIY Law School is the great unknown option. It means becoming a lawyer with no debt. It means hitting the ground running, with years of practical experience. And in many ways, it's not nearly as hard or time-consuming as law school.

What are the other five? Maine, New York, Vermont, Virginia, and Washington. The rules are very different for each. In New York and Maine, you have to attend law school, you just don't have to finish. In several of them, unlike in California, your supervising attorney is required to instruct you. The way I did it, he supervised me while I instructed myself. I've included a detailed list of each state's rules below.

I winged it, designing my own study plan, writing my own curricula. Of course, I got advice. The most important was to not try to emulate law school—the point is to pass the bar. That has to be the focus. So, I used bar prep course materials as the starting point—these show what you need to know. Then I reverse-engineered each to create my curricula, with used text books fleshing out the material for each 12-week self-taught course. Four years of this and I was eligible to take one of the hardest professional exams in the country. It cost me almost nothing.

Law schools make life difficult for their students in ways which have little to do with the knowledge and skill needed to pass the bar or to practice law. To skip it, you will need an analytical mind, a mastery of English reading comprehension, and very good study habits. You will also need to be unusually self-motivated. Does this sound like you?

The Big Picture

This is not law school and it's not a substitute. It's bypassing it. One of the biggest mistakes I made in my first year was trying to make my apprenticeship like law school. I planned on studying subjects not on the bar exam as elective courses, I started with Civil Procedure because I heard that's what law school starts with, I based my syllabus on the case book I was using, and at one point one of the attorneys at my firm tried the Socratic method with me.

Six months in, I consulted Gary Blasi, who was then a UCLA Law professor. I got in touch through his son, who I knew from my undergraduate days at UC Berkeley. Gary spent about an hour with me on the phone, going over his experience apprenticing a few decades ago. We mostly talked about the big picture. He was emphatic. The point of the apprenticeship was to pass the bar exam. It was not to gain an education that's equivalent, or even comparable, to law school.

He was also very candid that in his opinion, law school does not prepare you for either the bar exam or practicing law. This is something I have heard from maybe ten other lawyers when I talked to them about my plans. In fact, I can't think of a single lawyer who said they felt like law school prepared them for either. It involves a lot of philosophizing about the law and study of the history of law that you do not need to know. Gary

was also very clear that your supervising attorney is not and cannot be a professor. They may be very good at what they do, but that does not make them a professor. This is important. If you're going to do a self-taught program similar to mine, according to the California rules, do not expect your supervising attorney to even necessarily remember the material you are studying, much less teach it to you. You will, for the most part, have to teach it to yourself.

Gary had a very important piece of practical advice: start with a bar prep outline on the subject you're going to study. Read it through, even though you won't understand a lot of it. Use it to guide the entire course. Think of your course like reverse-engineering that outline. The goal of the course is to master the contents of the outline. The entirety of what you need to know about a subject is in there—so don't study it if it's not there!

Unfortunately for me, I had already put a lot of energy into topics in Civil Procedure and Contracts that I did not need to study. This is because in my first several months I was not using the bar prep outline; I was using the table of contents of a case book for one of my courses and a summary of law[1] (for Contracts) for another, to give the course structure.

One of the unnecessary things law schools do is teach the philosophy and history of law. One of the ways they do this is by making students start with reading very early cases on a topic—sometimes hundreds of years old. They study it, analyze and dissect its contents, talk about its historical context, then study the next case that changed the law on that topic. They repeat this process until reaching the current state of the law. Of course, not all professors in all law schools do this with all subjects. But it is very common. It's also needlessly difficult, time-consuming, and largely irrelevant. In terms of big picture, we should be doing the opposite in apprenticeships. We start with the bar prep outline's section on a topic, then read the section on the topic in a "supplement" book, and only read cases after that.

The way I remember it, I was reluctant to give up on the idea of including things in my studies that were not on the bar exam. But I knew Gary was right, and I gradually accepted it. So, I never did study Indian Law, and I got used to designing my curricula based on bar prep outlines, and skipping material not covered there.

What this is, is four years of bar prep (or likely five to six years). That is the single most important thing I took away from my conversation with Gary. The inability to recreate law school in an apprenticeship is definitely a reason to stick to the content of the bar prep outline. But many people graduate from law school, some of whom I'm sure did quite well, who never manage to pass the bar. The bar exam is notoriously difficult—especially the California and New York exams. Any material you study that is not tested on the exam is unnecessary. Any effort you make that does not help you pass is wasted, and it potentially takes away from your ability to pass.

The Paralegal to Attorney Approach

I decided to do an apprenticeship to become an attorney before deciding to be a paralegal. I just saw that studying in a law office during business hours was a requirement, so figured that meant getting a job in a law office. Under the California rules it could have been one of many positions, such as legal secretary, file clerk, investigator, or receptionist. But working as a litigation paralegal will prepare you much better for being a lawyer and it will help you understand some of the material you are studying.

Unless this article ends up with unexpectedly wide distribution, most of you reading it are already paralegals. You've got that part down already. If you're in one of the states that allow this, all you have to do is decide if it's for you, convince your boss, and get started according to the rules.

For those few who aren't already paralegals, don't worry. If you have a bachelor's degree, some office experience and intermediate computer skills, you can do it. Most employers are looking for experienced paralegals. But, there are entry-level positions out there. I got one. It may seem like a big delay to first have to get hired as a paralegal before even starting the apprenticeship. But I have talked to too many people who can't seem to get started because they keep trying to propose an apprenticeship without first discussing employment. That approach has far more potential to cause delays. "Hire me" is already a big ask. "Be my supervisor for a law study program you're only vaguely familiar with" is a big ask. So, separate the two. Get hired first. Establish yourself as a responsible employee—especially if they don't know you well. I waited a full year, to be safe. Then, make your proposal.

A paralegal is a legal assistant. Despite the confusion, the terms are synonymous. Having a paralegal certificate is a big advantage when you have no experience, but it is not necessary. In my experience, employers don't care if you have a certificate once you have experience. So, I don't recommend taking the time to get a certificate. The one exception to this is if you really need to go back to school to work on your writing, comprehension, and analysis. Then, it might make sense to get a paralegal certificate as long as the program includes plenty of writing and comprehension. If you're looking at a paralegal certificate program that isn't going to cover enough writing and comprehension, you'll need to take those courses even if they're not required.

[1] Law summaries and practice guides are essential resources for litigators—within a couple years of practicing you will probably learn to rely on them for guidance in almost everything you do, particularly when you encounter an unfamiliar issue. They are not appropriate for bar prep!

When I first proposed an apprenticeship to my boss, I got out the rules, and told him I had a plan. I would do an apprenticeship at Siegel & Yee while minimizing the burden on the firm. I would study in my office, between 8:00 a.m. and 10:00 a.m., before starting work. I would study one subject at a time, for about three months at a time. I would rotate among the associate attorneys he supervised at the firm, meeting once a week with one of them to go over what I had studied in the subject that week. I would mostly be studying on my own, and there would be very little for him to do personally. He would just need to review my work periodically and sign off on it as I sent it in to the state bar.

One of the first things he did was look at the rules for himself, saying, "Good. You can finish under someone else if you have to." He approved my plan, saying "I support your efforts." I got started pretty much immediately. I could tell he reacted to how well prepared I was, knowing the basics of the rules off the top of my head. Whether you're already a paralegal or not, if you're going to pitch this to a supervising attorney, make sure you're as prepared as possible. You should come across calm, confident, and like you did your homework. You want to be able to answer any question they might have, right then and there. If you're in California, emphasize that it won't be much work for your supervising attorney because they won't need to instruct you. That probably makes it much easier to convince an attorney to do this for you. I imagine people have a much harder time convincing an attorney to in effect be their personal tutor.

My Paralegal to Attorney Experience

"You're a lot more polished than I was in my first year!" he said after apologizing for taking a shot at me for being a rookie. We were in the hallway outside the courtroom a few months ago. David is an experienced eviction attorney who was trying to kick my client out of her home. He made the mistake of arguing to the court that my scheduling conflict was disingenuous because no attorney would be on such a large trial in their first year. I explained that I actually had years of experience as an apprentice—that was why I would be the second chair attorney in a fairly large trial.

Apprenticing while working as a paralegal gave me years of hands-on litigation experience. I recently served as second chair trial counsel, and nearly went to trial in four other cases since I began practice in 2017. I have taken depositions, argued motions, and negotiated severance agreements and unlawful detainer settlements. I was able to hit the ground running like this because throughout my apprenticeship I performed as much directly supervised attorney work as permissible without risking committing unlicensed practice of law. I thus have authored dozens of briefs, including two appeal briefs and four oppositions to motions for summary judgment. We won all four.

At first, there was only minimal overlap between my job as a paralegal and my law studies. My job helped me understand things like what a cause of action is, what a complaint is, what an answer is, what a motion to dismiss is, what a motion for summary judgment is, and what a deposition is. It helped me understand how a brief is structured, how legal arguments are presented, how the tricks and annoyances of discovery work, how discovery meet and confer works, and how a judge is always looking at legal arguments in terms of what issues are before the court, and what issues are not.

As I progressed, I learned how to read case law as part of my law studies. This meant I could start doing legal research. Over the years, I got pretty good at it. Proof reading was always part of my job. I increasingly expanded proof reading to editing briefs. Once I knew how to research, I started adding to legal argument, with new authorities. By my third year, I was writing briefs myself, with guidance, feedback, and editing from my supervising attorney. Even though I was not allowed to take or defend depositions or argue in court, I attended many depositions and hearings, and three trials. I watched closely, took notes, and discussed strategy afterwards. It made all the difference that I had worked on these cases for months, if not years. All of this gave me a huge advantage over an attorney straight out of law school.

There were other, less obvious ways apprenticing in a litigation firm gave me a head start. I regularly worked directly with clients for months, even years, as the case progressed. If you don't know, client relations are an incredibly important part of successfully practicing law. By the time I started practice, I had already worked closely with over 30 clients. That alone was an advantage. I also got used to the culture of a law office. I was exposed to and to some extent interacted with dozens of attorneys on the other side. That gave me a sense for what to expect. It also helped to learn where the various courtrooms in my area are, the differences between the way each operated, and what the clerk of the court expects of attorneys. It even helped a lot to learn how to wear a suit. I don't know about you, but it was a completely foreign thing to me. If wearing a suit were still new to me, like it was during my apprenticeship, I would have a lot less confidence doing my job as an attorney.

Then there's how the experience of mastering paralegal work makes me a better attorney. I need far less paralegal support than most attorneys. I keep my files organized out of habit. The same goes for calendaring and planning my cases. I got so used to perfectionist proof reading that now I barely need any (of course no one should rely on proofing their own work). I also got good enough at document review that I have a better understanding of what's needed there than any attorney straight out of law school. And, I have better working relationships with paralegals because I understand and respect them better than anybody who's never done the job.

The Rules

If you're serious about this, the first thing to do is research. That means looking up the rules for a legal apprenticeship in your state (if you're in one of the states where it's even possible). I'm providing a run-down of the basic requirements each of the six states has. But if you're going to actually do an apprenticeship, you need to look up the rules yourself. The information below is meant to give you an introduction to what's out there; it is not meant for you to rely on in beginning an apprenticeship. Also, rules change. So, when you do look them up, make sure you're looking at the current version!

Below is a summary of the basic requirements per state (please do not assume this is an exhaustive list):

California

- Have at least two years of college education or pass an equivalency exam
- Register with the state bar as a law student
- Send a notice of intent for the Law Office Study Program to the state bar, with a modest fee
- Send an outline of a proposed course of instruction to the state bar
- Study in a law office (or judge's chambers) during regular business hours for at least eighteen hours per week
- Send reports to the state bar every six months listing what you studied, with copies of six written, graded exams
- Have a supervising attorney who's been admitted to the California bar, active, in good standing for at least five years, and who doesn't supervise more than one other apprentice
- Have your supervising attorney supervise you for at least five hours per week
- Pass the First Year Law Students Exam—or "Baby Bar" as we all call it—after your first year of study

California Rules of the State Bar, Title 4, Division 1, Rule 4.29

Maine

- Have a bachelor's degree
- Complete at least two-thirds of the requirements to graduate from an accredited law school
- Send a proposed course of study to the Maine Board of Bar Examiners
- Start studying law in the office of an active Maine attorney within 12 months of attending law school
- Study continuously for at least one year
- Have your supervising attorney certify that you completed the course of study

Maine Bar Admissions Rules, Rule 10(c)

New York

- Be over 18 when starting study of law (I know, *why?*)
- Complete the requirements of the first year at an approved law school with at least 28 credit hours, in good standing, eligible to continue, and not on academic probation, within 36 months of starting
- Have your supervising attorney send a certificate of commencement of clerkship to the NY Court of Appeals
- Study in New York in a law office or law offices of an attorney or attorneys admitted to practice in New York
- Study for three years if you did one year of law school; whatever amount of time adds up to four years in combination with your approved law school study if you did more than one year of law school
- Work in that law office, under the direct supervision of your supervising attorney, doing the practical work of the office, during normal business hours
- Receive instruction by your supervising attorney in subjects ordinarily taught in law school

New York Court of Appeals Rules for the Admission of Attorneys and Counselors at Law § 520.4

Vermont

- Have a bachelor's degree
- Send a notice of commencement to the Board of Bar Examiners with your supervising attorney's representation that you have good moral character and fitness
- Study under the supervision of a judge or attorney currently practicing in Vermont and admitted to the bar for at least three years
- Study at least 30 hours/14 days for at least 44 weeks/year for at least 4 years unless you attended law school or completed part of an approved apprenticeship program in another state, in which case you can formally petition for credit for up to two years of study
- Send affidavit reports to the Board every six months describing what you studied in detail and describing your study plan for the next six months
- File a completion notice when you're done

Vermont Court Rules, Rules of Admission to the Bar of the Vermont Supreme Court, Rule 7 (go to lexis as instructed, choose "Vermont Court Rules" under Vermont at the bottom, then click the "Vermont Court Rules" link on the right, then choose "PART II. ADMISSION BY EXAMINATION OR TRANSFERRED UBE SCORE")

Virginia

- Have a bachelor's degree
- Send these to the Board of Bar Examiners:
  - application
  - your supervising attorney's statement of eligibility
  - a fee *(currently $2,500)*
  - your undergraduate transcript
- Appear for an interview by the Board of Bar Examiners
- The supervising attorney must:
  - *not employ or otherwise compensate you*
  - agree to ensure you're competent to take the bar before you do
  - instruct you
  - have practiced in Virginia for at least 10 years
  - practice general law such that their understanding of law is broad
  - provide evidence of teaching ability such as experience teaching in law school or continuing legal education
  - be active and in good standing with no discipline within the past 5 years by the Virginia State Bar
  - choose course materials, guide you and evaluate you in your studies
  - submit graded materials to the Board
  - appear at the Board's oral evaluation of you
  - provide you with a work station and law library
- Study:
  - at least 25 hours/week
  - at least 18 of them during regular business hours in the supervising attorney's office
  - at least 3 hours/week personally supervised
  - for at least 40 weeks per year
  - for at least three years unless you attended an approved law school, in which case you can formally petition for credit for some of your time at law school
- Follow the Board's three-year plan prescribing which courses to study which year
- Pass an oral evaluation by the Board, annually unless the Board decides otherwise, on your progress

Virginia Board of Bar Examiners Law Reader Program Rules and Regulations

Washington

- Have a bachelor's degree
- Work full-time, with an average of at least 32 hours/week in your supervising attorney's office or judge's chambers, performing work that contributes to the practical work of that office (the employment requirement can be waived on a case-by-case basis)
- Send an application to the state bar with:
    - a fee
    - two letters of recommendation
    - all undergraduate transcripts
- Study under the *instruction* of an attorney or judge who's active and in good standing for at least 10 years with no discipline for the past 5 years
- Study at least 3 hours per week under direct supervision and instruction by your supervising attorney
- Complete six courses per year for at least four years, within no more than six years
    - you can formally petition for credit for some of your time at law school if you attended an approved law school
- Take a written exam every month prepared by your supervising attorney
- Send in a monthly report to the bar, including that month's exam, certifying the supervision and the hours spent studying
- Send in book reports each year on jurisprudence
- Pay an annual fee (*currently $2,000*)
- Complete an annual evaluation with your supervising attorney
- Have your supervising attorney certify you are qualified to take the bar exam and competent to practice law

Washington State Court Rules, Rules of General Application, Admission and Practice Rules, Rule 6

Note that there are other rules that apply to apprentices that are not part of the rules governing apprenticeships! For instance, in California the general education requirement, the Baby Bar requirement, and the moral character requirement are not listed in the rules on apprenticeships. They are just required for everybody taking the bar exam (general education), required for everybody who did not attend an accredited law school (the Baby Bar), or required for everybody before being admitted to practice law (moral character). The lists above also do not include all the detailed requirements for applying to take the bar exam once you have finished an apprenticeship. Those requirements are different for each state.

Every state has a moral character requirement. If you have any doubt about your ability to do this because of moral character (for instance, if you have criminal convictions) you will need to research the rules on that in detail. But do not assume you can't do it! In California, it is still possible, on a case-by-case basis, to become a lawyer despite past convictions, especially if those convictions are not for dishonesty crimes.

Personally, I recommend completing a bachelor's degree, even if you're in California (the rest either require a bachelor's degree or require some law school). If you don't get the bachelor's degree, at least make the requisite two years' college work count by focusing on the skills you'll need for an apprenticeship. Study habits are learned. Good ones are essential to a successful apprenticeship. They are usually learned through years of college education. Many people still don't have them even after getting a bachelor's degree. I know it seems like a big delay, but the last thing you want to do is waste years on an apprenticeship which never leads to passing the bar, because you were unprepared.

I recommend following the rules in your state strictly. If you're unclear on something, you can always ask the admissions office (or whatever office governs apprenticeships in your state). Do *not* get cute with interpreting the requirements. For instance, the California rules currently require study in the law office of an attorney during business hours, then separately set requirements for who that attorney "with whom the applicant is studying" may be. Don't try to study wherever you want, claiming the attorney has a "mobile," "virtual," or "online" office. Don't try to interpret the rules to mean that the office you're studying in doesn't have to be the office of the supervising attorney.

This is practical advice you should follow just out of a healthy sense of caution. The California State Bar appears to take a very hard line with anyone it decides has broken any kind of rule. Other states are probably just as strict. From what I can tell, California also appears to be much less willing to give a second chance to applicants than to licensed attorneys. If they decide you intentionally misrepresented an aspect of your study program, you may never get admitted to the bar. Ever.

This is also reasoned advice. If you study law, you will eventually get very familiar with the concept of statutory construction. This is where courts interpret, or "construe" written laws, to apply them to particular situations. The first rule of this concept is "plain language." The court will look at the wording of the statute, assuming the words are written with their ordinary meaning in mind. Only if there is an ambiguity in the meaning as it applies to the particular case will the court go further in its interpretation. If it does go further, it will usually next look at "legislative intent." This is the court asking what the purpose of the law was, and in particular what the authors must have meant by particular words and phrases.

So, as it's currently written, California Rules of the State Bar, Rule 4.29(A)(3) requires you to "stud[y] law in a law office or judge's chambers during regular business hours for at least eighteen hours each week," among other things. Rule 4.29(B) lists a series of requirements for who that "attorney or judge with whom the applicant is studying" may be. I think it's safe to say that a "law office" is exactly that—a physical location where law is practiced. The term is not ambiguous, so we do not need to ask about the intent of the authors. But even if we give the ambiguity argument the benefit of the doubt, tell me this: if the authors thought it was okay for you to study wherever you want, why would they write this requirement at all? Likewise, I think "during business hours" means exactly that. If they thought it was okay for you to study at any time you want, why would they write "during business hours"?

The same goes for a creative interpretation allowing the supervising attorney to not be the same attorney in whose office you study. Please. Obviously the "law office" is the office of the "attorney…with whom the applicant is studying." Why else would you be required to study in the law office during business hours, with "at least five hours a week" supervised by the attorney with whom you're studying? The rules don't even make sense if these are two different attorneys who aren't in the same office.

I take the time to argue this because I know there are plenty of attorneys who work from a home office and who don't hold regular business hours. There are also plenty of people trying to apprentice who have a very hard time finding supervising attorneys. So, people might be tempted to argue that the rule's language is outdated, not reflecting the way many contemporary attorneys operate. They may claim they are only applying the rule in a reasonable way to the reality of an attorney with a "virtual" office and no regular business hours. I think it is very likely that if the question came before the California State Bar, the unfortunate apprentice trying to be cute with the rules would be forever barred from practicing law in California. Don't risk it. Obviously, that goes for following the rules of the other states as well.

Is This for You?

The answer may be different depending on what state you're in. I completed an apprenticeship according to the rules in California. That means I had to create my own study plan, create my own curricula, keep myself on track, and (mostly) teach myself the material. If you're in Washington for instance, you won't have to put as much into creating a study plan since you don't have a choice what to study and when—they provide much more structure in the rules than California. If you're in one of the states that requires the supervising attorney to be your instructor, such as Virginia, the skills necessary to teach yourself are not as important.

But generally speaking, the skills required for studying law are at least as important for an apprenticeship as they are for law school. This probably depends on the law school–many, if not most, are very difficult (or so I'm told). They are probably needlessly difficult. There are several ways law schools make life difficult for their students which have little, if anything, to do with the knowledge and skill you need to pass the bar or to then practice law, after passing.

I just like the sound of DIY Law School. But, an apprenticeship is really nothing like law school. You will need a supervising attorney, but under the California rules, that attorney will probably *not* be your professor. You will be teaching yourself. To do that, you will need a naturally analytical mind. To create your own study plan, you will need to be capable of design. For any apprenticeship, you will need a mastery of English reading comprehension. You will need to be unusually self-motivated. You will need to already have very good study habits. If the California self-taught approach is for you, you have probably already taught yourself something, maybe many things.

Why does an apprenticeship require a naturally analytical mind? A law student may not really get a concept until the professor (or a classmate) explains it several times. This is less of an issue in the states where the supervising attorney is required to instruct. But otherwise, logical, analytical thought will need to come naturally to you, so that for the most part, you get it simply by reading it. If you find yourself confused a lot, especially in an academic setting, you might be better off in law school.

Why design? Again, it's more important in states that don't provide much structure. Unless you are fortunate enough to have guidance from people who have already done this, design is important. When I say design, I mean the entire plan from filing the notice of intent to getting sworn in. I mean each curriculum. And I mean each subject outline. I have an unusual combination of analytical and creative tendencies which leave me comfortable, even satisfied, designing things. I don't mean engineering or architecture, though I do think such design uses similar mental functions. Have you ever gotten a proud satisfaction out of designing a complex set of spreadsheets with conditional formulas and cross-references? Or maybe you have classroom experience, and designed an entire course. Maybe

you have experience in event planning, or campaign planning. If you've never done such things, so what? But, especially for those of you in California, if you balk at the idea, and can't imagine successfully doing it, you might be better off in law school.

Don't underestimate the need for English skills. This goes for every state. My folks who learned it as a second language, this will be harder for most of you. Let's be real: it's a weird language with very little consistent logic to it. That makes any academia in English a challenge for a lot of people. The law, especially case law written more than fifty years ago, seems intentionally written in difficult to understand English. The concepts of the law and all the terminology many of you have never heard before will be difficult enough. You do not want to deal with the extra layer of not understanding the vocabulary or getting lost in the complex sentence structure. This, and the need for good study habits, is why I don't recommend an apprenticeship if you don't have a bachelor's degree. A *lot* of people have trouble with English reading comprehension and composition. If you used to have such trouble, but got past it, don't worry. If you still have trouble, you might be better off in law school.

Self-motivation is arguably the most important. In California, you can take as long as you want on your apprenticeship (but at least four years). That is *dangerous!* Like the vast majority of the kids I went to community college with, you may never finish. Have you gotten into a regular exercise routine, and kept it, without even so much as a gym membership, much less classes? Have you kept up music practice (and I mean proper practice, not just playing) with neither classes nor lessons? Did you immediately give yourself so many projects while unemployed that it completely occupied your time? This is what I mean by self-motivation. If you've repeatedly tried and failed at such things, can't imagine doing them, or have a history of never finishing projects, you might be better off in law school.

Study habits are learned. Maybe you learned some by trial and error combined with applying your analytical skills. Maybe you learned some from a few good study-aid books, from classmates, or from professors. If you've ever studied anything, you developed habits. In my opinion, most people have bad study habits. These include reading something all the way through, then reading it two more times because you don't understand, or aren't retaining the information. It includes attempting to write lecture notes verbatim before understanding the concepts (my method is to only write notes once I understand, and always put it in my own words). It includes studying for hours without breaks, studying while exhausted, or studying with the TV on or other stimuli distracting you. I imagine plenty of people learn better study habits for the first time in law school (as with any graduate school). You will need to already have them to do this. If you're not sure what good study habits are in the first place, or you're guilty of the majority of my examples of bad habits, you might be better off in law school.

The DIY Law School I did is self-taught law. If self-taught law is going to work for you, chances are you are just a self-taught kind of person. I taught myself to type, play guitar, design very complicated excel spreadsheets, convert my car to run on vegetable oil, brew beer, and care for bonsai trees. Ok, I took a one-semester guitar class and a few bonsai workshops–lets call those two mostly self-taught. I also had planned to teach myself calculus while unemployed for a few months, only to have the misfortune of getting a job. I still plan to get to that one. You don't need to have already done these kinds of things. But, especially for those of you in California, if doing them sounds outlandish to you, you might be better off in law school.

What all this comes down to is most people need the structure of classes and the presence of a professor to explain things if they are going to learn law. If you're one of the few, go ahead, be excited! This is a pretty cool way to become a lawyer.

Weighing the Options

So far, I've talked a little about the nature of legal thinking and a lot about the skills and personality traits you'll need. But even if you *can* do this, you should still take your time deciding if you *should.*

Talk to several people who went to law school within the past fifteen years—what was it like, how did it prepare them, how did it not, what was rewarding? Ask yourself if that might be a better option.

Be clear about the downsides. You will not have a degree. Many employers (and clients) are impressed by degrees from prestigious law schools. This is especially true in the very beginning. It may be a serious disadvantage, competing with applicants who have degrees. Of course, if you can get an interview, you may be able to convince people that you actually have far more practical experience than applicants straight out of law school. So, it cuts both ways.

You may never pass the bar. Be clear about that too—obviously you should not dwell on it and remember that possibility exists even if you go to law school. It's important to recognize the risks though, and that is one of them. It is a different risk than going to law school but never passing the bar. The pass rates for apprentices are much lower. If you finish an apprenticeship but never pass the bar you will not have a degree. There are quite a few jobs out there that do not require admittance to the bar but either require a JD or are much easier to get if you have one.

This will also take considerably longer. Law school is three years. Students graduate in May, and at least in California, they take the July Bar Exam, and get results in November. An apprentice in California is required to complete four years of officially reported study before Bar Exam eligibility. The timely registration deadline for the bar exam is about three months before, and it takes a few weeks after completing your studies to get the official eligibility. This means you would need to finish your four years in March to take the July exam

(or pay extra for late registration if you finished early enough to still meet that deadline). So *at the very least* it will take about 14 months longer than law school. That is a significant amount of time you will not yet be practicing law.

But it could easily take much longer. If you're in California, you will not get credit for your first year until you pass the "Baby Bar" (First Year Law Student's Exam). It is only administered twice per year, and the pass rate is usually around 20%, so your apprenticeship could easily take five or six years. That is not something to gloss over when making this decision.

Debt is obviously a factor weighing in your favor. Law school is notoriously, needlessly expensive. But keep in mind that you may not be making much money during your apprenticeship. It varies, but most paralegals, investigators, legal secretaries, file clerks, and receptionists are not highly paid. For some, an apprenticeship may mean a drop in income, which could mean acquiring more debt to compensate. Depending on many factors, you may need to work less hours at times to allow for more studying (or even work part time the entire time). And though the cost of the program itself is nothing compared to law school, it is not free. Besides the fees for the apprenticeship program, expect to put several thousand into books, bar prep classes or tutors, and exam fees.

Momentum Is Building

I have it all planned out. Every year more enroll in an apprenticeship in California, Maine, New York, Vermont, Virginia, and Washington instead of completing law school. This will only increase as more people reject unnecessary law school debt. They will also increasingly realize what so many lawyers already know—law school doesn't prepare you for the bar exam, doesn't prepare you for being a lawyer, and has about as much value for a lawyer as studying the development of language has for a fiction author. That is, you might learn some fascinating things, but it probably has little to do with your ability to do your job.

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