

The Route to Qualification

A. Introduction

The Institute offers a national and nationally endorsed career path for non-lawyers who do legal work (i.e. paralegals): the Route to Qualification.

The Route to Qualification recognises legal work experience and (where relevant) the training offered by a variety of training providers, universities etc.

The main purpose of the Route to Qualification (R2Q) is to provide paralegals and their employers with a simple and consistent paralegal career path based upon standards, proven competency, experience and training. The R2Q brings together the various elements necessary for the proper recognition of paralegals as professional legal practitioners:

- competency standards
- The Paralegal Code of Conduct
- A Continuing Professional Development scheme
- Good affordable and accessible training
- A complaints procedure
- Professional designations (Qualified Paralegal, etc) that actually mean something

B. Why the Route to Qualification was introduced

- Too many paralegals still only have a job, not a career
- Employers do not have the time or resources to create their own internal career paths for paralegals
- Employers and paralegals want consistent professional designations to allow easy recognition of expertise
- The paralegal training market is in a mess
- Development and recognition of the paralegal profession has reached a plateau
- There is insignificant recognition of paralegal expertise
- Recruiters need to have consistent competency benchmarks to work to
- Paralegals need professional designations which are linked to ability
- Professional indemnity insurers need to be able to assess the risk factor
- Clients need to know their paralegal advisors have professional titles based on competency

C. What is the Route to Qualification?

In a nutshell, it is a four-stage career path – NB it is not a training program.

Stage One: Affiliate Member

This stage is for aspiring paralegals – i.e. anyone who does not yet do legal work. *Affiliate membership* is given to people who aspire to be a paralegal but who are not currently doing legal work, e.g. they are studying a law course or are changing career, or are currently working in an administrative role in a legal environment.

- Anyone can join at this grade as it is open access.
- Affiliate membership costs £39 per year (incl VAT).
- Affiliate membership does not confer any professional designation or letters after one's name.
- There is no obligatory training requirement for this membership grade.
- There is no continuing professional development obligation.

Stage Two: Associate Paralegal

Effectively this is the apprenticeship/trainee stage. It is open to people already doing legal work.

Associate Paralegal level is for people doing legal work with:

Less than six years' legal work experience; or
Less than four years' solid experience if they have successfully completed an approved course (see below); or
Less than three years' legal work experience if they have successfully completed the Legal Practice Course

- The above requirements can be achieved in any order/at the same time.
- Associate Paralegal membership costs £69 per year (incl VAT).
- Associate Paralegal is a recognised professional designation. One can use the professional designation letters A.Inst.Pa after one's name
- There is no obligatory training requirement for this membership grade - membership is based upon practice experience alone.
- There is a continuing professional development obligation of 12 hours per year.

Stage Three: Qualified Paralegal

This stage is for people already doing legal work who can show that they have achieved a significant degree of experience: normally a minimum of six years solid practice experience, but fast track options do exist. The three ways to achieve Certified Paralegal status are:

Have at least six years solid practice experience; or

Have at least four years' solid experience AND have successfully completed an approved course (see below); or

Have at least three years' solid practice experience AND have successfully completed the Legal Practice Course/Bar Professional Training Course

Why six years?

We know that many paralegals can become very experienced and competent with less than six years experience.

But it is also true that in some complex practice areas up to six years' experience may be needed before a paralegal can claim to be genuinely experienced.

To ensure the R2Q is recognised by government and the legal profession we have to move at the speed of the slowest paralegal, not the fastest – hence we need six years so we can say everyone is experienced.

The above requirements can be achieved in any order/at the same time.

Qualified Paralegal status is recognition of experience, not proven competency (because experience and competency, sadly, do not always go hand-in-hand).

Qualified Paralegal is a recognised professional designation. Once one achieves Qualified Paralegal status one is a full member of the Institute of Paralegals (as opposed to an Affiliate Member or Associate Paralegal). Qualified Paralegal status also confers the right to use the letters Q.Inst.Pa after one's name.

- ~~NO~~ Qualified Paralegal membership costs £119 per year (incl VAT).
- There is no obligatory training requirement for this membership grade. Membership is based upon practice experience alone (although certain optional approved courses are recognised for fast-track purposes).
- There is a continuing professional development obligation of 12 hours per year.

Stage Four: Fellow Member

This stage is for:

Qualified lawyers (e.g. solicitors or barristers)

People doing legal work and who already meet the criteria to become a Qualified Paralegal AND who have passed the mandatory course.

Fellow membership status is recognition of proven competency.

To achieve it you have to have both practice experience and successfully completed a mandatory graduate-level examination covering the A-Z of practice procedure in one specific practice area. Fellow members are legal professionals with independently vetted experience and competency.

- Fellow membership costs £139 per year (incl VAT).

Fellow IOP member is a recognised professional designation. Once one achieves Fellow member status one is a Fellow of the Institute of Paralegals. Fellow membership status also confers the right to use the letters F.Inst.Pa after one's name (Fellow of the Institute of Paralegals).

- This is the only stage of the four stages requiring obligatory training - the mandatory course.
- There is also a continuing professional development obligation of 12 hours per year.

E. What are Approved Courses?

These are courses which allow members to fast-track to Fellow membership status.

They are the courses that the Institute considers to be of sufficient calibre to allow a reduction in the usual six-year's practice experience needed to achieve Qualified Paralegal. Successful completion of any Approved Course reduces the six year requirement to four years. The only exception is successful completion of the Legal Practice Course/Bar Professional Training Course which reduces the practice experience requirement to just three years.

The list of Approved Courses is not fixed. If you have taken (or offer) a course that you think should be on the Approved Courses list then please contact us.

The current list of Approved Courses is:

- Any UK honours law degree
- Bar Vocational Course/Bar Professional Training Course
- BTEC Level 3 in Law & Legal Work
- Central Law Training Level 3 BTEC Advanced Diploma in Paralegal Work
- CILEX Level 3 Certificates in Law and Practice
- CILEX Level 3 Professional Diploma in Law and Practice
- CILEX Level 6 Professional Higher Diploma in Law
- The Institute's Certificate in Advisory Practice (accredited University of Portsmouth course)

F. What is the Mandatory Course?

At present there are two providers of the Mandatory Course: Central Law Training and The Bristol Law School University of West of England. They run Mandatory Courses in the main practice areas in which paralegals work.

The Course:

The Mandatory Course is necessary because we need to be able to guarantee to the profession that Fellow Members are technically competent – that's what the Fellow member professional designation is – a quality mark of technical competence.

That competence is obtained through having to take a graduate-level course covering the A-Z of practice & procedure in the chosen practice area - and having been examined afterwards.

We cannot give that guarantee if we do not have a detailed agreement with the course provider that allows us to examine, question or demand changes to the course. For this reason we cannot simply list courses of approximate equivalence to the Mandatory Course.

G. Background: paralegal numbers rising

For more than a decade now, year-on-year, employers have been using paralegals in ever greater numbers, and delegating ever more complex, client-facing, work to them.

This trend is so pronounced that there are already more paralegal fee-earners in solicitors' firms than there are associate, assistant and consultant solicitors combined.

Paralegals comprise approximately 44% of all fee-earners in solicitors' firms. If the trend continues (and there is no reason why it shouldn't) then within a decade, paralegal fee-earners in solicitors' firms will outnumber solicitors.

The rise in the number of paralegals is mirrored elsewhere too: in local government, the not-for-profit sector, commerce and industry etc.

Paralegal law firms are being created as a very swift pace too. It is likely that they will outnumber solicitors' firms by 2012.

H. Coming changes

Paralegals are increasingly being pushed centre-stage. As they become an ever-more important part of the legal sector's "talent" then:

- Employers will have to work harder to attract, retain and motivate them
- Regulators will be obliged to consider issues of paralegal competency
- Clients will want to know that the paralegal acting on their matter is competent
- Professional indemnity insurers will have to begin assessing paralegal fee-earner risk

All of these things are either more likely to happen, or more likely to be implemented in a way favourable to paralegals, if there is already in place a recognised R2Q built around the concept of proven competency.

I. Development of the paralegal profession

The biggest motivator for the creation of the R2Q was to turn what is often a dead-end job into a career.

The second biggest motivator was to address the fact that the development of a recognised paralegal profession has reached a plateau. It is effectively stalled. This has a direct impact on the recognition of individual paralegals as legal professionals.

We speak often to government, regulators etc. The message is always the same. Paralegals as a group can never be recognised as a profession until they meet the basic (and traditional) criteria for professional status:

Taking each of these in turn:

1. They are a clear and easily definable group of practitioners
2. They can demonstrate a proven expertise in their practice area

3. They have published competency standards
4. There is a code of conduct with which they must comply
5. Continuing professional development must be obligatory

They are a clear and easily definable group of practitioners

This is not currently the case. "Paralegal" is a catch-all, default term that applies to any non-lawyer who practices law. It therefore encompasses a huge array of different people in different circumstances with different skills doing different things. Since the number of paralegal roles is increasing, so the term is likely to become even less precise in its meaning.

Accordingly, paralegals as a single group will never achieve professional status.

The R2Q is designed to carve-out a distinct group of those paralegals who are sufficiently certain and consistent to meet this particular requirement. In effect, we are creating an "officer corps" identifiable through the two main professional designations: Qualified Paralegal and Fellow Members of the IOP.

They can demonstrate a proven expertise in their practice area

This is the purpose of the mandatory course - and why it is set/examined at graduate level (there are no professional bodies whose profession examinations are set at GCSE or A level!).

They have published competency standards

We have now created these with the help of the legal profession. Our Competency Standards cover:

- Paralegals
- Conveyancing
paralegals
- Legal
assistants
- Legal secretaries

See/download these standards for free at www.LegalStandards.org

Because they are so wide-ranging in content, compliance with the IOP Competency Standards is not mandatory. They are intended as a nationally consistent benchmark for both employers and employees.

There is a code of conduct with which they must comply, and continuing professional development must be obligatory

Both of these requirements have been in place for some time now for Institute members.

J. Conclusion

Introduction of the R2Q is an essential and important step in the route to professional recognition for paralegals. Organisations endorsing the R2Q are:

Association of Muslim Lawyers
Badenoch & Clark
Berrymans Lace Mawer LLP

Hudson
Huddersfield University Law School
Institute of Legal Cashiers & Administrators

Beyond the Brief
Birmingham City University Law School
Blayney Personnel
Brabner Street Chaffe LLP
Bradford University Law School
Brighton Business School
Bristol Law School at the University of the West of England
Bucks New University Law School
Cambridge University (Professional Studies)
Central Law Training
Chadwick Nott
Chester University Law School
Clayton Legal
Compliance Recruitment Solutions
Coventry University Law School
DA Solutions
Derby & District Law Society
Derby University Law School
Devon and Somerset Law Society
Ealing Law School at Thames Valley University
Edexcel
Executive Network Legal
Executive Recruitment Services plc
Gloucester University Law School
Grafton Banks
Hertfordshire University Law School
HR in Law

Kent County Council
Lancaster University Law School
Land Registry
Law and More
LawNet
Law South
Law Staff Legal Recruitment
Learning4Legals
Legal Practice Solutions
Legal Services Ombudsman
LiST (Litigation Support Technology Group)
Liverpool Law Society
Manchester Law Society
Newport Business School
Olswang LLP
Pavillion Law
Portsmouth University Law School
RBUK Legal
Sally Wilcock & Co.
Smith & Manchester
Society of Asian Lawyers
Society of Specialist Paralegals
Solicitors Group
Solicitors in Local Government
Strathclyde University Law School
TSG Recruitment
University of Wales
Weightmans LLP
Yorkshire Law Society

Frequently Asked Questions

1. What Is the R2Q?

It is a four-stage career development route leading ultimately to a professional designation (Qualified Paralegal) which acts as a kite mark of competence, based upon significant practice experience, formal training and rigorous examination.

The R2Q begins with the *Affiliate Member* grade for those aspiring to become paralegals (typically but not exclusively students or those doing administrative work in a legal environment).

The next stage is *Associate Paralegal*. This is for practicing paralegals who are at the beginning of their careers (effectively the apprenticeship/trainee stage).

The third stage is *Qualified Paralegal*. This is for practicing paralegals who have accrued a significant amount of experience (effectively proof of "flying hours").

The fourth and final stage is *Fellow member of the IOP*. This stage is for practicing paralegals who have sufficient "flying hours" and who have successfully completed the said practice-orientated course/examinations.

2. Why will the R2Q benefit employers?

Employers spend huge amounts of time and money ensuring that the solicitors they employ are competent, client-friendly, low risk, trained, business-aware and have career development programs that benefit both employer and employee.

The same demands/expectations will arise in respect of paralegals as they move towards being the largest

group of fee-earners in the legal profession. Without the R2Q (and accompanying standards etc), employers will either waste a lot of time and money creating their own individual responses to the said needs, or not doing it at all. The R2Q gives employers a nationally consistent professional development structure "in a box", effectively for free.

3. Is the R2Q intended to replace the use of Legal Practice Course graduates?

No, the R2Q will not affect the practice of hiring LPC graduates. LPC graduates are given special status under the R2Q in recognition of their training. The R2Q will also help the 90+% of paralegals who will never take the LPC by allowing them to have their expertise formally recognised at last.

4. Are there related competency standards?

Yes. All four stages of the R2Q can be mapped against a relevant level of the IOP Competency Standard for Paralegals. However, at present the standards are for guidance only and not mandatory. The Standards were created by some 60 firms, government departments and others and cover paralegals, legal secretaries and legal assistants. The standards are free to download and use. See www.LegalStandards.org for more information.

5. What is the difference between a Certified Paralegal and a Qualified Paralegal?

The Certified Paralegal designation is effectively recognition of experience ("flying hours"). It confirms experience but is not proof of competency. The Qualified Paralegal designation is both confirmation of flying hours and proof of competency which has been independently assessed via examination.

6. Will a Qualified Paralegal be the equivalent of a solicitor?

No. Whilst Qualified Paralegals may do some of the work of solicitors, they will not have had the extensive formal training and assessment required of solicitors. Qualified Paralegals do not have the same rights as solicitors (e.g. to swear oaths) and are not subject to the same degree of professional obligation. Also Qualified Paralegals (like almost all paralegals) will not be generalists. They will mostly specialise in one area of law to the exclusion of all others. Their expertise therefore, whilst deep, will usually be quite narrow.

The whole raison d'être of paralegals is that they are not solicitors and so using them provides employers with significant cost savings. It would therefore be counter-productive and inappropriate for the Institute to equate Qualified Paralegals with solicitors. The purpose of the R2Q is to assist paralegals and their employers by bringing structure to the current free-for-all.

7. What will the R2Q cost?

Very little. Affiliate membership costs £30 per year (incl VAT), Associate Paralegal membership costs £60 per year (incl VAT), Certified Paralegal membership costs £110 per year (incl VAT) and Qualified Paralegal membership costs £120 per year (Incl VAT).

These costs will be discounted for employers who group-subscribe their paralegals.

The only other potential cost is that all membership grades (excluding Affiliate) have to undertake 12 hours CPD per year. However the CPD scheme is devised so that paralegals can meet their obligation in a wide variety of ways that do not necessarily involve attending commercial CPD courses. Finally, those paralegals who wish to achieve Qualified Paralegal status will have to undertake the Mandatory Course, but elevation to Qualified Paralegal status is optional.

8. Can someone become a Certified or Qualified Paralegal without legal qualifications?

They can become a Certified Paralegal without legal qualifications, but not a Qualified Paralegal (although successful completion of an Approved Course will allow them to fast-track to Certified Paralegal status). Becoming a Qualified Paralegal will always require successful completion of the Mandatory Course, unless the applicant is already a lawyer of good standing (solicitor, barrister, notary, fellow of the Institute of Legal Executives, patent agent, licensed conveyancer or trade mark agent).

The Mandatory Course is the only way that the Institute can ensure it meets its promise that Qualified Paralegals have been independently and rigorously assessed for competence.

9. Will Legal Practice Course graduates be exempted from taking the Mandatory Course?

No. LPC graduates are highly trained and smart individuals. However the purpose of the Qualified Paralegal professional designation is that it tells employers and other professionals that the relevant person has both significant practice experience *and* in-depth practical training in their chosen area of practice - neither of which the LPC provides.

10. How will the R2Q affect trainee legal executives and legal cashiers?

It won't. Trainee legal executives will continue to follow the illex route as they do now. However they will be very welcome to also follow the R2Q - we are completely relaxed about "dual nationality". Legal cashiers are an important group of specialists, but do not count as paralegals for the purposes of the R2Q as accounts work does not constitute practicing law under the R2Q.

11. Is the R2Q only for paralegals working in solicitors' firms?

No. it is open to/applicable to all paralegals equally, regardless of which sector they work in, or whom they report to.

12. Will qualifications from other training providers count towards the R2Q?

At the Certified Paralegal stage, yes, but not immediately at the Qualified Paralegal stage. At the Certified Paralegal stage successful completion of a recognised legal qualification (e.g. an English law degree) will allow fast-tracking (i.e. the four year practice requirement is lessened). But for Qualified Paralegal training, only approved courses will count so we can be sure that employers, regulators and others have confidence that such courses produce paralegals of proven competence. It is of course open to any training provider, local law society or other body to apply to have their course approved for Qualified Paralegal purposes.

13. What role does the Institute of Paralegals play in the R2Q?

The R2Q is linked to Institute membership and Institute professional designations (Certified Paralegal, Qualified Paralegal etc.). These are not terms that other bodies will be free to use. The Institute's role is to provide employers and regulators with the comfort of knowing that paralegals who receive a professional designation under the R2Q have been independently vetted. The R2Q is just one project run by the Institute to help develop the quality of, ease access to and generally develop the paralegal profession.

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