

IOP Competency Standards for Legal Assistants

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INSTITUTE OF
PARALEGALS

Setting Standards. Promoting Professionalism.

ABOUT THESE STANDARDS

1. Introduction

This document contains the IOP *Competency Standards* (“Standards”) for Legal Assistants.

- THE STANDARDS are a range of competency standards for legal assistants, paralegals and legal secretaries developed by the Institute of Paralegals with the kind assistance of numerous solicitors’ firms, government departments and others on the Institute’s Standards Working Party
- These Standards are relevant to you if you do clerical/administrative work in a legal environment (NB legal secretaries have their own Standards). There is only one level of Standards for legal assistants – this one.
- For more information these and the other Standards series please visit www.theIOP.org and click on the Standards
- The main purpose of Standards for Legal Assistants is to provide you with clear and nationally consistent benchmarks to aid with recruitment, training, appraisal and career development. These Standards list the things that the profession expects from you as a competent legal assistant
- These Standards for Legal Assistants are designed for use by all clerical staff doing general clerical duties in a legal environment regardless of job title or employer (solicitors’ firm; paralegal firm; local government; in-house legal department; etc.)
- The Standards have wide applicability because they focus on the core skills, abilities and knowledge needed to be a legal assistant in a legal environment, rather than on the expertise needed to assist in a particular place or type of organisation

2. Does your work constitute the work of a legal assistant?

There is no nationally consistent use of job titles for legal assistants. Numerous different job titles are used, and even when the same job title is used, the underlying job and its responsibilities may be completely different.

Sometimes paralegals are called legal assistants. However paralegals should not use these Standards, but the Paralegal Standards instead.

You can consider yourself to be a legal assistant if you do clerical or administrative work in a legal environment. Secretarial work, managerial work and legal practice do not constitute typical legal assistant work.

3. Possible additional standards

Please speak to your line/HR manager before using these standards as there may be additional internal standards that your organisation also needs you to comply with.

4. Are you using the most up-to-date version?

The legal assistant role is changing rapidly. Therefore these standards will be updated as required, so please ensure that you have the latest version. **This is the October 2009 version.**

By visiting www.theIOP.org you can check whether this edition is the most recent version. Please also visit that web-site if you would like to subscribe to our automatic update notification service.

5. General

Please follow your organisation's guidance on how these standards are to be used. When following these standards we have assumed that:

- You will know of any relevant internal procedures that your organisation has;
- You will interpret and apply these standards only to the extent of your job remit and authority, e.g. Client Relations, LA-CR2 ("*Comply with any internal Know-Your-Client procedures*") applies only as far as those procedures are relevant to your job and responsibilities. It does not oblige you to take on responsibility for ensuring that all the procedures have been followed if that is someone else's job;
- You appreciate that you are expected to apply these standards courteously, promptly, professionally and competently.

Legal assistants are expected to demonstrate common sense, but **not** to:

- Independently modify or re-interpret instructions without prior approval;
- Independently analyse instructions or outcomes and then act upon that analysis;
- Take any further steps without prior approval.

6. For more information on these standards or to give feedback

For more information please speak with your HR or line manager in the first instance. Otherwise please:

- Visit the Institute's web-site at www.theIOP.org
- Email standards@theIOP.org
- Call (+44) (0)20 7587 3917

If you have any comments, feedback or suggestions for improving these standards we would love to hear from you – contact details as above.

7. Keep up-to-date with paralegal matters

The legal and paralegal worlds are fast changing. To keep up-to-date with events, subscribe to receive the Institute's free monthly e-journal, *The Paralegal*.

To subscribe, and to view recent past editions, please visit www.theParalegal.org or to just subscribe, e-mail your name and address to office@theIOP.org.

QUALIFYING AS A PARALEGAL

Turning a job into a career; an occupation into a profession

At present you are a legal assistant. That entitles you to join the Institute as an Affiliate member.

You should join if you plan to become a paralegal. Of course one becomes a paralegal by getting a job as a paralegal - you do not need any particular qualification and you do not need to be a member of the Institute of Paralegals. However, if you want to be a recognised legal professional; if you want to have a career rather than a job; if you want to be part of a profession rather than just having an occupation; and if you want to be acknowledged as a professional legal practitioner, then you need to join the Institute and work towards Fellow Member status.

This is because anyone can call themselves a paralegal, regardless of experience, training or ability. This means that the term 'paralegal' is hazy and does not command much respect from legal professionals, clients, the courts etc. The alternative is to become a recognised legal professional by following the Institute's national career path with its Paralegal Code of Conduct, Continuing Professional Development requirements, IOP Competency Standards and recognised professional designations.

The Institute offers the only national career path for paralegals. It is a four-stage career path:

Affiliate: this grade of Institute membership is for aspiring paralegals who do not yet practice

Associate: this grade of Institute membership is for practising paralegals who have less than six years good practice experience. Effectively this is the apprenticeship/trainee stage

Qualified Paralegal: this grade of Institute membership is for experienced practising paralegals. To achieve Certified Paralegal status you typically need a minimum of six years solid practice experience. People with certain legal qualifications need only four years' experience and LPC graduates need only three years' experience. Effectively this is confirmation of "flying hours". Qualified Paralegal status makes you a full member of the Institute, allowing you to also use the letters Q.Inst.Pa after your name.

Fellow Member of the IOP: this grade of Institute membership is for the top practising paralegals. To achieve Qualified Paralegal status you need to meet all of the criteria for Qualified Paralegal status and have passed a mandatory Institute course. This is necessary because Fellow membership status tells legal professionals, clients and others that you are competent (by dint of having passed examinations). Fellow member status makes you a Fellow of the Institute, allowing you to also use the letters F.Inst.Pa after your name. You can apply to join today: visit www.Instituteofparalegals.org.

End of section

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APPLICATION OF LEGAL KNOWLEDGE

As a legal assistant your role is primarily administrative/clerical. However as you work in a legal environment supporting legal practitioners, you need to have a basic understanding of the law and procedure applicable to the practice area in which you operate.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-AL1 Have a basic understanding of the type of law practiced by your department/team and any procedural structures regularly encountered (e.g. main steps involved in a typical residential conveyancing transaction or a prosecution)

- LA-AL2 Understand the main legal terms and jargon used by your department/team

- LA-AL3 Develop your knowledge of relevant law and procedure

End

BUSINESS AWARENESS

As a legal assistant you need to have a basic appreciation of the commercial nature (if any) of your organisation.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-BA1 Understand the structure of your organisation and how it derives its income/funding
- LA-BA2 Understand the structure of your department/team
- LA-BA3 Have a basic understanding of the type of business/other activity done by the clients for whom your department/team works
- LA-BA4 Understand the relationship between the work you do and its cost to your organisation and the benefit derived from it
- LA-BA5 Understand how your organisation charges for the legal work it does (if relevant)

End

CLIENT RELATIONS

As a legal assistant, client relations are primarily about three things:

- A. The way you treat your organisation's clients and the attitude you display when dealing with them;
- B. Your knowledge of your organisation's client relations policies;
- C. As a representative of your organisation possibly having contact with clients, acting in an appropriate and professional manner and taking personal responsibility when dealing with clients.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

LA-CR1 Get sufficient background information to perform each task properly

LA-CR2 Comply with any internal Know-Your-Client procedures

LA-CR3 Comply with any internal guidelines and professional conduct obligations relating to new clients

LA-CR4 Act in a professional and courteous manner when dealing with clients, potential clients and third parties and always project a positive image of your organisation

LA-CR5 Work in accordance with internal policies and procedures relating to client relations

LA-CR6 Be receptive to any client feedback and acknowledge it in a professional manner. Pass it on without delay to your line manager

LA-CR7 Know your organisation's complaints procedure and when it should be invoked

LA-CR8 React to clients in a professional manner that takes into account the situation and context

End

COMMUNICATION

The ability to communicate clearly, concisely and accurately is one of the most important skills of a legal assistant.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-C1 Identify the outcome you wish to achieve from a proposed communication
- LA-C2 Communicate in a logical, clear and succinct manner
- LA-C3 Tailor your style of communication having regard to the circumstances and the recipient
- LA-C4 Demonstrate sensitivity to clients' and other recipients' diversity and to any vulnerability or disadvantage, and make appropriate adaptations to the style and content of your communications
- LA-C5 Use plain English in all communications and adhere to your organisation's house-style
- LA-C6 Adopt a courteous and professional tone in all your communications
- LA-C7 Consider what information is needed to respond effectively to communications
- LA-C8 Comply with your organisation's policies on the sending and filing of e-mails

End

EQUIPMENT USE

Office equipment is now often so sophisticated that it cannot be taken for granted that you know how to use it.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

LA-E1 Perform the following tasks on the photocopier:

- Change image size
- Change paper
- Charge to account if applicable
- Clear paper jams
- Print double-sided
- Print on transparencies
- Print single sided
- Replace toner
- Sort pages
- Staple documents

LA-E 2 Perform the following tasks on your organisation's telephone system:

- Charge to account if applicable
- Make calls
- Personalise the permanent greeting on your phone extension
- Pick up voice messages
- Place calls on hold
- Set a temporary greeting on your phone extension
- Set up conference calls
- Take calls
- Transfer calls
- Use group pick-up

LA-E3 Perform the following tasks on a fax machine:

- Charge to account if applicable
- Check that the whole fax has been sent
- Fix paper jams
- Log ingoing and outgoing faxes
- Replace paper
- Send faxes

LA-E4 Perform the following tasks using the document scanner:

- File documents
- Index documents
- Retrieve documents
- Scan in documents

LA-E5 Perform the following tasks on the microfiche system:

- Index documents
- Put documents on microfiche
- Retrieve documents
- Store documents

LA-E6 Perform the following tasks on the printer:

- Print documents
- Print double-sided
- Print envelopes
- Print labels
- Print transparencies

End

IT SKILLS

You will be expected to have in-depth knowledge of the features of the software packages relevant to your clerical duties and be able to advise less advanced users.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-IT1 Use your organisation's word processing and other software as required to undertake your clerical duties

- LA-IT2 Create, send, receive, forward and file emails

- LA-IT3 Create and generate the reports and documents required by your clerical duties

- L3-IT4 Attach documents to emails, open and save attachments received

- L3-IT5 Operate your organisation's policy on the filing of emails

- L3-IT6 Provide advice to less advanced users

End

PRACTICAL RESEARCH

As a legal assistant you may be called upon to do basic research.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-PL1 Know where and how to access basic information about your practice area

- LA-PL2 Know where to locate up-to-date copies of forms and documentation commonly used by your department/team

- LA-PL3 Identify the required outcome before commencing

- LA-PL4 Establish if there is a deadline and meet it

- LA-PL5 Compile research findings citing sources, conclusions and caveats and present in a format most suitable for the intended recipient

- LA-PL6 Notify your line manager when your research findings may be of interest to others

End

PROFESSIONAL CONDUCT

As a legal assistant in an organisation undertaking legal work, you are subject to compliance obligations imposed by law, regulatory bodies, the Institute (if you are a member) and your organisation.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-PC1 You must provide a good standard of work, exercising competence, skill and diligence
- LA-PC2 Keep the affairs of your organisation's clients and former clients confidential
- LA-PC3 Keep your organisation's business confidential
- LA-PC4 Act at all times in a non-discriminatory manner
- LA-PC5 Understand your organisation's anti-money-laundering policies (if any) to the extent that they apply to your work
- LA-PC6 Ensure the safe-keeping of documents, evidence and assets entrusted to the organisation that are your responsibility
- LA-PC7 Know the limits of your authority and seek guidance when uncertain
- LA-PC8 Act in a professional manner at all times

End

SELF AWARENESS AND DEVELOPMENT

As a professional, you will be expected to have given some thought to your job, the skills you need for it, and how you can best develop those skills.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-SA1 Evaluate the strengths and weaknesses of your skills and knowledge
- LA-SA2 Be aware of changes in internal procedures and relevant compliance and regulatory obligations
- LA-SA3 Reflect on experiences and mistakes so as to improve your future performance
- LA-SA4 Periodically ask for constructive feedback about your performance. Consider issues identified and have a follow-up discussion with your line manager about how to improve your performance
- LA-SA5 Seek feedback about the training and development you need to do your job more effectively and to further develop you personally
- LA-SA6 Keep a record of your progress and achievement in meeting these standards
- LA-SA7 Be aware of the limits of your ability and seek guidance when asked to work beyond them
- LA-SA8 Contribute positively to any appraisal program you are involved in

End

WORKING WITH OTHERS

The ability to work well with your colleagues is essential for the proper functioning of your organisation. You are under a positive obligation to work and interact with them in a professional and courteous manner.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-WO1 Treat colleagues with respect and professionalism

- LA-WO2 Appreciate your own role and responsibilities and recognise those of others

- LA-WO3 Demonstrate a commitment to your job and your organisation

- LA-WO4 Co-operate with, support and share information with colleagues to further your organisation's objectives

- LA-WO5 Read staff communications issued by your organisation and support new initiatives

- LA-WO6 Promote good team relations

End

WORKLOAD MANAGEMENT

In a work environment that is often hectic, frequently pressured and always changing, the ability to be well-organised and to manage your workload is essential.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-WM1 Provide a good standard of work, exercising competence, skill and diligence
- LA-WM2 Plan and prioritise your work through use of a diary, 'to-do' list and effective time management techniques
- LA-WM3 Liaise regularly with your line manager about your workload and availability
- LA-WM4 Meet deadlines or give a warning to your line manager as soon as reasonably possible that a deadline is causing difficulty
- LA-WM5 Record work done as necessary for compliance, billing and file management purposes
- LA-WM6 Know the workload that you can safely handle and notify your line manager when you feel that this is being exceeded

End

WRITING SKILLS

The ability to write clearly and coherently is an essential skill for all administrative staff working in a legal environment.

This is what the IOP Competency Standards for Legal Assistants require you to be able to do:

- LA-WD1 You can draft the documents commonly required as part of your duties

- LA-WD2 Know the standard letters and documents commonly used in your department/team which require stamping, registration etc to be valid. Know how to do this if part of your job responsibility

- LA-WD3 Understand the need for and purpose of any documents you draft

- LA-WD4 Be able to use precedents

- LA-WD5 Write in plain grammatical English, in a style appropriate for the circumstances and recipient

- LA-WD6 Comply with any internal guidelines relating on writing/drafting style/format

End

NOTES
(NOT PART OF THE STANDARDS)

A. Assistance in creating these standards

The following organisations are either (a) on/were on the main IOP Competency Standards Working Party that helped finalise these standards, or (b) requested a watching brief. Their assistance is much appreciated:

- | | |
|--|---|
| 1. Berrymans Lace Mawer | 37. Legal Services Board |
| 2. Birmingham City University Law School | 38. Legal Services Commission |
| 3. Blackburn College | 39. Legal Services Ombudsman |
| 4. Bond Pearce LLP | 40. Manches LLP |
| 5. Buckles Solicitors LLP | 41. Mayo Wynne Baxter LLP |
| 6. Charles Russell | 42. Mills Reeve |
| 7. Central College Glasgow | 43. Ministry of Defence |
| 8. Cobbetts | 44. Ministry of Justice |
| 9. Compliance Recruitment Solutions | 45. Morgan Cole |
| 10. Council for Administration | 46. Munday's LLP |
| 11. Crown Prosecution Service | 47. New York City Paralegal Association |
| 12. Dawsons | 48. Nick Peterken, solicitors |
| 13. Denton Wilde Sapte | 49. Norton Rose |
| 14. Dickinson Dees LLP | 50. New York City Paralegal Association |
| 15. Edwards Angell & Palmer Dodge LLP | 51. Pinsent Masons |
| 16. Eversheds | 52. Platinum Training Solutions |
| 17. Farrer & Co. | 53. Police National Legal Database |
| 18. Field Fisher Waterhouse LLP | 54. Potter Farrelly & Associates |
| 19. Finers Stephens Innocent LLP | 55. Reed Smith |
| 20. Fox Williams LLP | 56. Resolution |
| 21. Gide Loyrette Nouel | 57. Shakespeare Putsman LLP |
| 22. Halliwells | 58. S J Berwin LLP |
| 23. Harvey Ingram LLP | 59. Scottish Paralegal Association |
| 24. HBJ Gateley Waring LLP | 60. University of Lincoln Law School |
| 25. Herbert Smith LLP | 61. Shearman & Sterling |
| 26. HR in Law | 62. Shepherd Evans |
| 27. Jacobs Solicitors | 63. Simmons & Simmons |
| 28. Keoghs LLP | 64. Skills for Justice |
| 29. Land Registry | 65. Solicitors Regulatory Authority |
| 30. Law Society of England & Wales | 66. Taylor & Emmet |
| 31. Law Society of Scotland | 67. Taylor Vinters |
| 32. Law South | 68. Thompsons |
| 33. LawNet | 69. Thomson Snell & Passmore |
| 34. Legal & Contract Services Limited | 70. TLT solicitors |
| 35. Legal Education & Training Group | 71. University of Lincoln |
| 36. Legal Secretaries of DC | 72. University of Westminster |
| | 73. Weightmans |
| | 74. Wragge & Co. |

B. Updating these standards

These Standards are reviewed and updated as necessary to ensure that they reflect current practice. If your organisation wishes to become a member of the IOP Competency Standards Working Party, or to have a watching brief, please contact us.

C. Contacting the Institute

*Institute of Paralegals 6 Graphite Square Vauxhall Walk London SE11 5EE United Kingdom
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D. Copyright

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