

Competency Standards For Paralegals

Introductory Level: May 2010



INSTITUTE OF
PARALEGALS

Setting Standards. Promoting Professionalism.

ABOUT THESE STANDARDS

This document contains the Introductory Level Competency Standards for Paralegals.

These Standards have been developed by the Institute of Paralegals with the assistance of numerous law firms, legal regulators, government departments and others.

This Introductory Level is relevant to those aspiring to be paralegals and practising paralegals at the beginning of their careers. More senior paralegals should use the Intermediate or Advanced Levels.

For more information on these Paralegal and other IOP Competency Standards visit www.theIOP.org.

1. Who should use these Standards?

The IOP Competency Standards are designed for all paralegals, regardless of their job title, practice area or type of employer (solicitors' firm; paralegal law firm; local government; in-house legal department etc).

They are not jurisdiction specific, so can be used in any country/by anyone wanting to work to an international benchmark.

Purely for the sake of convenience, the wording used in this document assumes that you are a paralegal working in a solicitors' firm. However the Standards are still relevant to most paralegals doing compatible legal work in other kinds of organisation because they focus on the core skills, abilities and knowledge required of all paralegals, rather than on the expertise needed to work in a particular practice-area or for a particular type of employer.

The main purpose of the IOP Standards for Paralegals is to provide clear and consistent benchmarks to aid with the recruitment, training, appraisal and career development of paralegals. These Introductory Level Standards list the things that the profession expects from you as a competent paralegal at the Affiliate/Associate stage of your career

2. Are you recognised as a paralegal for the purposes of these Standards?

Outside of the Route to Qualification career path for professional paralegals offered by the Institute, there is no consistent use of job titles for paralegals. Numerous different job titles are used, and even when the same job title is used, the underlying job and its responsibility/authority may be completely different.

You can consider yourself to be a paralegal if you frequently do legal work (also known as practice law) which a lawyer would expect to be asked to do, be willing to do it, and in respect of which, he/she would normally charge a client.

The paralegal role hinges on your doing actual legal work (i.e. practising law), regardless of whether you do it on a paid or voluntary basis, and regardless of whether you charge for your services or not. We distinguish the paralegal role from the secretarial role and the clerical/administrative role of legal assistants: both of which have their own sets of Standards.

3. Professional conduct obligations

These Standards incorporate the core professional conduct obligations imposed upon paralegals working for solicitors' firms and have been vetted with the kind assistance of the Solicitors Regulation Authority ("SRA").

The SRA professional conduct requirements are still relevant to you even if you do not work for a solicitor, because the SRA requirements are quite general and constitute best practice and, where appropriate, judicial expectation.

4. 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.

5. Are you using the most up-to-date edition?

The paralegal role is changing rapidly. Therefore these Standards will be updated as required, so please ensure that you have the latest version. **This is the May 2010 edition.**

6. 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, P1-CR2 on page 8 ("*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.

Paralegals at your level of seniority are expected to demonstrate common sense and judgement, **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.

7. Blanks

You will see that some individual standards just say "[Blank]". This means that it is in use in either the Intermediate or Advanced Levels, but is not relevant to you at the Introductory Level. However we have left it in to enable easy comparison between the three levels.

8. 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 standards information at www.theIOP.org
- Email office@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.

9. Keep up-to-date with paralegal matters

The paralegal world is fast changing. To keep up-to-date with events that may affect your practice, employment or career then subscribe to receive the Institute's free monthly e-journal, *The Paralegal*.

To subscribe, e-mail your name and address to office@theiop.org. If you wish to subscribe on behalf of your colleagues, students or clients, that is fine too.

QUALIFYING AS A PARALEGAL

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

You become 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 professional paralegal, i.e. a 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 Qualified Paralegal 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 professional paralegal a recognised career path. It is a four-stage career path:

Affiliate Member: this grade of Institute membership is for aspiring paralegals who do not yet do legal work

Associate Paralegal: this grade of Institute membership is for practising paralegals who have less than six years good practice experience. Effectively this is the stage for people at or near the beginning of their careers.

Qualified Paralegal: this grade of Institute membership is for experienced practising paralegals. To achieve Qualified 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 IOP Member: this grade of Institute membership is for the top practising paralegals. To achieve Fellow membership status you need to meet all of the criteria for Qualified Paralegal status and have passed a Mandatory 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 membership 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.theIOP.org

CONTENTS

Topic	Page
Advocacy	5
Application of Legal Expertise	6
Business Awareness	7
Client Relations	8
Communication	10
Interviewing and Advising	11
Managing Others	12
Negotiating	13
Practical Legal Research	14
Professional Conduct	15
Self Awareness and Development	16
Working with Others	17
Workload Management	18
Writing and Drafting	19
Notes (not part of the standards)	20

ADVOCACY

At your current level of seniority, you are not expected to have advocacy experience nor advocacy responsibilities, regardless of your practice area. Generally speaking however, if your practice area involves litigation you will be expected to:

- A. Understand the importance of a case presentation strategy incorporating a client's goals
- B. Be able to assist in the preparation and conduct of hearings
- C. Understand basic trial procedure
- D. Be able to make an effective presentation

Specifically this is what the IOP Competency Standards for Paralegals (Introductory Level) require you to be able to do:

- P1-A1 Analyse a simple matter and identify the legal context in which the factual issues arise
- P1-A2 Outline the facts in a simple narrative form
- P1-A3 Prepare in simple form a list of issues and the evidence that you would use in support of your client's case
- P1-A4 Demonstrate an awareness of the skills and techniques of advocates
- P1-A5 Assist, under supervision, in preparing cases for trial
- P1-A6 Be aware of the basic elements of trial procedure
- P1-A7 [Blank]
- P1-A8 [Blank]
- P1-A9 [Blank]
- P1-A10 [Blank]
- P1-A11 [Blank]

End

APPLICATION OF LEGAL EXPERTISE

At your current level of seniority you are expected to have basic legal expertise appropriate to your level of seniority.

This is what the IOP Competency Standards for Paralegals at the Introductory Level require you to be able to do:

- P1-AL1 Know the law and procedure in your practice area as appropriate for your level of seniority
- P1-AL2 Apply your legal expertise to the matters you handle
- P1-AL3 Develop your knowledge of relevant law and procedure
- P1-AL4 Understand when it is appropriate to pass a matter to a more senior colleague
- P1-AL5 Discuss with your line manager the relevant law and legal implications associated with the cases you work on

End

BUSINESS AWARENESS

At your current level, when interacting with clients, you need an understanding of the commercial nature (if any) of your organisation.

This is what the IOP Competency Standards for Paralegals at the Introductory Level require you to be able to do:

- P1-BA1 Understand the structure of your organisation and how it derives its income/funding
- P1-BA2 Understand the structure of your department/team
- P1-BA3 Have a basic understanding of the type of business/other activity undertaken by the clients you work for
- P1-BA4 [Blank]
- P1-BA5 Demonstrate the relationship between the work you do and its cost to the organisation and the benefit derived from it
- P1-BA6 Understand how your organisation charges for the work you do
- P1-BA7 [Blank]
- P1-BA8 Notify your line manager without delay of any opportunities you encounter for your organisation to provide additional services to a client
- P1-BA9 [Blank]

End

CLIENT RELATIONS

At your current level of seniority as a paralegal, good client relations are primarily about three things:

- A. The way you treat potential and existing clients and the attitude you display when dealing with them;
- B. Your knowledge of your organisation's policies on dealing with potential and existing clients;
- C. As a legal practitioner having contact with clients, acting in an appropriate and professional manner and taking personal responsibility for client care in your dealings with your clients.

This is what the IOP Competency Standards for Paralegals at the Introductory Level require you to be able to do:

- P1-CR1 Get sufficient background information to conduct your files properly
- P1-CR2 Comply with any internal Know-Your-Client procedures
- P1-CR3 Comply with any internal guidelines and professional conduct obligations relating to new clients
- P1-CR4 Be aware of your client's expectations
- P1-CR5 Keep your client updated as the matter progresses, and comply with professional conduct obligations, particularly with respect to costs if relevant
- P1-CR6 Ensure that colleagues are kept up-to-date where necessary as the matter progresses
- P1-CR7 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
- P1-CR8 Work in accordance with internal policies and procedures relating to client relations
- P1-CR9 Be receptive to client feedback and acknowledge it in a professional manner. Pass it on without delay to your line manager
- P1-CR10 Know your organisation's complaints procedure and when it should be invoked
- P1-CR11 React to clients in a professional manner that takes into account the situation and context
- P1-CR12 [Blank]

P1-CR13 [Blank]

P1-CR14 [Blank]

End

COMMUNICATION

The ability to communicate clearly, concisely and accurately is one of the most important skills at your current level of seniority.

This is what the IOP Competency Standards for Paralegals at the Introductory Level require you to be able to do:

- P1-C1 Identify the outcome you wish to achieve from a proposed communication
- P1-C2 Communicate in a logical, clear, succinct and, where appropriate, persuasive manner
- P1-C3 Tailor your style of communication having regard to the circumstances and the recipient
- P1-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
- P1-C5 Use plain English in all communications and adhere to your organisation's house-style
- P1-C6 Adopt a courteous and professional tone in all your communications
- P1-C7 [Blank]
- P1-C8 Consider what information is needed to respond effectively to client communications
- P1-C9 Make a contemporaneous file note of all oral communications where appropriate
- P1-C10 Comply with your organisation's policies on the sending and filing of e-mails
- P1-C11 [Blank]
- P1-C12 [Blank]

End

INTERVIEWING AND ADVISING

At your current level of seniority when interviewing and advising you are expected to:

- A. Understand your instructions and the client's expected outcomes
- B. Have the basic skills to interview and advise competently
- C. Record interviews and advice given and initiate follow up action as necessary

This is what the IOP Competency Standards for Paralegals at the Introductory Level require you to be able to do:

- P1-IA1 Identify the purpose, context and required outcome of the interview/advice session
- P1-IA2 Identify all legal, factual and conduct issues arising
- P1-IA3 Identify all the documentation and information you need to prepare properly
- P1-IA4 Plan and manage the interview/advice session and its environment
- P1-IA5 Use effective listening and questioning techniques
- P1-IA6 [Blank]
- P1-IA7 Identify, agree and record any necessary caveats (e.g. session is without prejudice) at the outset of the session
- P1-IA8 Identify and concentrate upon important information and issues
- P1-IA9 [Blank]
- P1-IA10 Treat the interviewee/advisee with courtesy and respect
- P1-IA11 Record the interview/advice session in accordance with your organisation's guidelines
- P1-IA12 [Blank]

End

MANAGING OTHERS

At your current level of seniority you are not expected to manage others. Accordingly there are no IOP Competency Standards set at the Introductory Level.

P1-MO1 [Blank]

P1-MO2 [Blank]

P1-MO3 [Blank]

P1-MO4 [Blank]

P1-MO5 [Blank]

P1-MO6 [Blank]

P1-MO7 [Blank]

P1-MO8 [Blank]

P1-MO9 [Blank]

P1-MO10 [Blank]

P1-MO11 [Blank]

P1-MO12 [Blank]

P1-MO13 [Blank]

P1-MO14 [Blank]

P1-MO15 [Blank]

End

NEGOTIATING

At your current level of seniority you are not expected to engage in negotiations.

Accordingly there are no IOP Competency Standards set at this Introductory Level.

P1-N1 [Blank]

P1-N2 [Blank]

P1-N3 [Blank]

P1-N4 [Blank]

P1-N5 [Blank]

P1-N6 [Blank]

P1-N7 [Blank]

P1-N8 [Blank]

P1-N9 [Blank]

P1-N10 [Blank]

End

PRACTICAL LEGAL RESEARCH

Effective research is one of the key paralegal roles, even at your current level of seniority.

This is what the IOP Competency Standards for Paralegals at the Introductory Level require you to be able to do:

- P1-PL1 Know where and how to access the key sources of information about your practice area
- P1-PL2 Identify the required outcome before commencing
- P1-PL3 Establish if there is a deadline, and meet it
- P1-PL4 Compile research findings citing sources, conclusions and caveats and present in a format most suitable for the intended recipient
- P1-PL5 Where appropriate save or record research so your colleagues can benefit from it
- P1-PL6 Identify if time spent on research is chargeable and, if so how much and upon what basis
- P1-PL7 [Blank]

End

PROFESSIONAL CONDUCT

At your current level paralegal practitioner, 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 Paralegals at the Introductory Level require you to be able to do:

P1-PC1 You must provide a good standard of client care and work, exercising competence, skill and diligence

P1-PC2 Conduct yourself so that clients are able to place their trust in you

P1-PC3 Keep the affairs of your organisation's clients and former clients confidential

P1-PC4 Keep your organisation's business confidential

P1-PC5 Demonstrate an understanding of the prohibition on acting where there is a conflict of interest

P1-PC6 Act at all times in a non-discriminatory manner

P1-PC7 Understand your organisation's anti-money-laundering policies to the extent that they apply to your work

P1-PC8 Know the limits of your authority and seek guidance when uncertain

P1-PC9 Act in a professional manner at all times

End

SELF-AWARENESS AND DEVELOPMENT

As an Associate level paralegal practitioner, 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 Paralegals at the Introductory Level require you to be able to do:

- P1-SA1 Evaluate the strengths and weaknesses of your professional skills and knowledge
- P1-SA2 Be aware of changes to internal procedures and relevant compliance and regulatory obligations
- P1-SA3 Reflect on experiences and mistakes so as to improve your future performance
- P1-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
- P1-SA5 Seek feedback about the training and development you need to do your job more effectively and to further develop you personally
- P1-SA6 Keep a record of your progress and achievements in meeting these standards
- P1-SA7 Be aware of the limits of your ability and seek guidance when asked to work beyond them
- P1-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 at your current level to work and interact with them in a professional and courteous manner.

This is what the IOP Competency Standards for Paralegals at the Introductory Level require you to be able to do:

- P1-WO1 Treat colleagues with respect and professionalism

- P1-WO2 Appreciate your own role and responsibilities and recognise those of others

- P1-WO3 Demonstrate a commitment to your job and your organisation

- P1-WO4 Co-operate with, support and share information with colleagues to further your organisation's objectives

- P1-WO5 Read staff communications issued by your organisation and support new initiatives

- P1-WO6 Promote good team relations

- P1-WO7 [Blank]

- P1-WO8 [Blank]

- P1-WO9 [Blank]

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 Paralegals at the Introductory Level require you to be able to do:

-
- | | |
|---------|--|
| P1-WM1 | Provide a good standard of work, exercising competence, skill and diligence |
| P1-WM2 | Plan and prioritise your work through use of a diary, 'to-do' list and effective time management techniques |
| P1-WM3 | [Blank] |
| P1-WM4 | Liaise regularly with your line manager about your workload and availability |
| P1-WM5 | Meet deadlines or give a warning to the client or appropriate person in your organisation as soon as reasonably possible that a deadline is causing difficulty and identify an alternative delivery date |
| P1-WM6 | Give clear deadlines to third party service providers and monitor their compliance |
| P1-WM7 | Record work done as necessary for compliance, billing and file management purposes |
| P1-WM8 | Know the workload that you can safely handle and notify your line manager when you feel that this is being exceeded |
| P1-WM9 | [Blank] |
| P1-WM10 | [Blank] |
| P1-WM11 | [Blank] |

End

WRITING AND DRAFTING

At your current level paralegal practitioner at the outset of your career you should have developed a basic skill in the preparation and drafting of a range of documents. You should be able to formulate and present a coherent piece of writing based upon facts, general principles and legal authority, in a structured, concise and where appropriate, persuasive manner.

This is what the IOP Competency Standards for Paralegals at the Introductory Level require you to be able to do:

-
- | | |
|---------|---|
| P1-WD1 | You know which letters, forms and documents are commonly used in your practice area and have an understanding of why and when they are required |
| P1-WD2 | You can draft the letters and documents commonly used by paralegals at your level of seniority in your practice area |
| P1-WD3 | You can identify the need for and purpose of the documents you are draft |
| P1-WD4 | Be able to use precedents |
| P1-WD5 | Be able to draft documents in a form and structure appropriate to the parties, circumstances, good practice and law |
| P1-WD6 | Be able to write in plain grammatical English, in a style appropriate to the circumstances and recipient |
| P1-WD7 | Know the documents in your practice area that require stamping, registration etc to be valid. Know how to do this |
| P1-WD8 | [Blank] |
| P1-WD9 | Comply with any internal guidelines relating on writing/drafting style/format |
| P1-WD10 | [Blank] |

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. Nick Peterken, solicitors
12. Dawsons	48. Norton Rose
13. Denton Wilde Sapte	49. New York City Paralegal Association
14. Dickinson Dees LLP	50. Pinsent Masons
15. Edwards Angell & Palmer Dodge LLP	51. Platinum Training Solutions
16. Eversheds	52. Police National Legal Database
17. Farrer & Co.	53. Potter Farrelly & Associates
18. Field Fisher Waterhouse LLP	54. Reed Smith
19. Finers Stephens Innocent LLP	55. Resolution
20. Fox Williams LLP	56. Shakespeare Putsman LLP
21. Gide Loyrette Nouel	57. S J Berwin LLP
22. Halliwells	58. Scottish Paralegal Association
23. Harvey Ingram LLP	59. University of Lincoln Law School
24. HBJ Gateley Waring LLP	60. Shearman & Sterling
25. Herbert Smith LLP	61. Shepherd Evans
26. HR in Law	62. Simmons & Simmons
27. Jacobs Solicitors	63. Skills for Justice
28. Keoghs LLP	64. Solicitors Regulatory Authority
29. Land Registry	65. Taylor & Emmet
30. Law Society of England & Wales	66. Taylor Vinters
31. Law Society of Scotland	67. Thompsons
32. Law South	68. Thomson Snell & Passmore
33. LawNet	69. TLT solicitors
34. Legal & Contract Services Limited	70. University of Lincoln
35. Legal Education & Training Group	71. University of Westminster
36. Legal Secretaries of DC	72. Weightmans
	73. 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

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D. Copyright

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End