

Wisconsin Law Journal

State Bar moving forward with voluntary paralegal certification

By: Erika Strebek, erika.strebek@wislawjournal.com June 22, 2016 9:59 am

The Wisconsin State Bar will begin rolling out a system allowing paralegals to get voluntary certifications.

A simple majority of members of the bar's Board of Governors voted last week in favor a policy to establish and administer a program to certify paralegals in the state. The bar's continuing legal-education committee will next set up a group that will work on fleshing out the procedural and substantive details of the program, said Kathryn Bullon, chairwoman of the State Bar's committee on continuing legal education.

The board's approval comes at least 20 years after various participants in the state's legal system first expressed an interest in establishing a process that would provide paralegals who wanted official state certifications with a means of getting them.

One of those groups is the Paralegal Association of Wisconsin. John Goudie, professional responsibility and development committee coordinator for the association and a paralegal at Gimbel Reilly Guerin & Brown, has been working with the bar and other groups over the decades to develop a certification program.

"I am extremely pleased and glad to see that it is moving in this direction," said Goudie. "It is certainly moving in the right direction."

Because Wisconsin sets no minimum standards or requirements that paralegals must meet, anyone can present themselves as one.

The policy the board approved last week defines paralegals as individuals who meet the bar's requirements for certification, work under the direct supervision of a licensed attorney and provide services that, without the supervision of an attorney, would be performed by a lawyer.

To obtain the official certification that the bar is now creating, paralegals must meet several qualifications. They must, for instance, have completed an associate's or bachelor's degree in paralegal studies from an accredited school or by getting an associate's or bachelor's degree in another field and at least 18 credits from a paralegal-studies program.

The new policy also gives paralegals with no relevant college courses a two-year window during which they can still get an official certification. To take advantage of that opportunity, paralegals must have a high school diploma, at least five years or 4,800 hours of experience, have completed at least three hours of approved paralegal continuing legal-education credits the year before applying and have work experience that can be verified by a supervising attorney or other records.

Once paralegals have obtained certification, they must take other steps in future years to retain it. They must, for instance, complete at least 10 hours of continuing paralegal education during each two-year reporting period.

Certified paralegals will also have to follow an ethics code, which is one of the few pieces of the program that will be fleshed out in the coming months by the bar's continuing legal-education committee, which brought the certification proposal to the board in January.

The board's vote last week means the bar's continuing legal-education

committee will also be working on how ethics complaints will be handled, setting fees for certification, and determining which departments within the bar should administer the program.

Some of the changes won't go into effect without first undergoing a review by the Board of Governors. For example, once the committee drafts an ethics code for paralegals, the board will have its say, bar

CERTIFIABLE

The Board of Governors last week voted to approve a policy that establishes a voluntary paralegal certification program administered by the State Bar. Under the policy, a bar-certified paralegal:

- Must work under the supervision of an attorney.
- Must earn 18 credits from an American Bar Association-accredited paralegal studies program.
- May be certified based on work experience under certain conditions.
- Must meet a continuing legal education requirement every two years.
- Must be of good character.
- Is held to a set of ethical

6/22/2016

State Bar moving forward with voluntary paralegal certification | Wisconsin Law Journal - WI Legal News & Resources

officials said before the governors voted last week.

Goudie believes one of the main difficulties the committee will have is in figuring out who will oversee disciplining any wayward paralegals. He said that if the committee approaches the Office of Lawyer Regulation and the Board of Bar Examiners, which is charged with admitting lawyers to practice and setting continuing legal-education standards, both would be concerned about how much more work would be involved.

rules modeled after those set out for attorneys by the Wisconsin Supreme Court. Source: State Bar of Wisconsin Policy on Voluntary Certification of Paralegals

"We still believe today as we did then that we don't believe any rampant problems will develop," Goudie said.

Follow @erikastrebelt 78 followers

Edit

Tagged with: JOHN GOUDIE PARALEGALS STATE BAR

ABOUT ERIKA STREBEL, ERIKA.STREBEL@WISLAWJOURNAL.COM



Erika Strebelt is the law beat reporter for the Wisconsin Law Journal and a law school student at UW-Madison. She can be reached at 414-225-1825.

