



UNIVERSITY HIGHER DIPLOMA JOINT PARALEGAL SCHEME

Rationale:

In recent years the term 'Paralegal' has taken on an extended meaning within the legal services sector. It is a fact that there are very many more law graduates leaving Universities than there are training contracts available for them to go on to qualify as a Solicitor, or pupilages for the Bar if they want to become Barristers. This, coupled with the fact that the Legal Practice Course (LPC) is expensive and beyond the means of many Graduates (especially since passing the LPC does not guarantee a training contract), has resulted in an increase in law graduates seeking to become Paralegals and pursuing the Paralegal Profession as an alternative route to a career in the law.

Paralegals are those who are qualified through education and training to perform substantive legal work that requires a sound and professional knowledge of legal concepts and legal procedures and who are not Barristers or Solicitors or Chartered Legal Executives. Paralegals may work within a firm of Solicitors, but the majority work within a legal environment in Commerce, Industry or the Public Sector, or may work in private practice as Private Paralegal Practitioners.

The nature of the work that Paralegals perform is diverse:

Civil Litigation (including General and Commercial litigation, Personal Injury and Medical Negligence)
Crime
Matrimonial and Family
Corporate
Probate & Administration
Wills and Trusts
Commercial/Business
Residential and Commercial Conveyancing
Landlord & Tenant, etc.

There has been a misconception amongst many, that Paralegals are merely office support staff. This is not so. With the necessary qualifications and experience they can be full fee earners in law firms with their own client base doing virtually the same work as Solicitors in the same firm. A recent study by one of the larger Recruitment Agencies in London reports that more and more firms are looking for career paralegals. There are very few things that only a solicitor has a monopoly by statute to do.

The National Association of Licensed Paralegals (NALP) was founded in 1987. It is the leading professional body for the Paralegal Profession and until recently has provided self - regulation of the profession through Licensing.

You can find out more about NALP by looking at our website: <http://www.nationalparalegals.co.uk>

1. Proposal:

- 1.1 The proposal aims to link the University with NALP Training (the Training arm of NALP) in a joint academic programme leading to the award of a Higher Diploma in Paralegal Practice and Grad.PLL status for graduates of the University who have successfully completing the academic requirements for the NALP Training Higher Diploma in Paralegal Practice as part of their undergraduate Law programme;
- 1.2 Students enrolling at the University on the LLB single honours programme will be eligible, on payment of the non-refundable membership fee to NALP, to become affiliate members of NALP for one year, two years or three years depending on the year they register (renewable until they graduate).
- 1.3 As part of their LLB degree programme with the University, these affiliate members of NALP will be able to select four modules, which will allow them if successfully completed, to acquire Graduate Paralegal status upon LLB graduation. This will allow the students to use the designatory letters Grad.PLL., for so long as they maintain their NALP membership (renewable annually).
- 1.4 The selected modules for the Paralegal programme will be those currently required to be successfully studied in order to obtain the NALP Training **Higher Diploma in Paralegal Practice**.

2. Syllabus Areas:

- 2.1 The modules available to be studied for the NALP Training Higher Diploma in Paralegal Practice are as follows:

Civil Litigation
Criminal Procedure
Matrimonial & Civil Partnerships
Succession
Business Structures
Conveyancing or
2 Legal Skills from the following: Drafting, Advocacy, Interviewing or Negotiating
- 2.2 NALP Training requires passes in any four of the above subjects.

3. Course Duration:

- 3.1 The study timetable for the programme would be up to the University but would be completed in the usual three year degree programme
- 3.2 Circumstances may arise that prevent a student from completing successfully all of the required modules within the three year degree programme. If such an instance does arise, the student concerned or the University on his/her behalf must approach NALP Training explaining the reasons/circumstances why non-compliance has occurred and seek permission to extend the time period by which the modules should have been obtained in order to graduate with The Higher Diploma in Paralegal Practice. NALP Training will make

the final decision as to whether permission will be granted to the student to extend the four-year qualifying period. NALP Training may, at its discretion, seek an additional Student Membership payment from the student to cover any additional allotted time span required to complete the required number of modules for the award.

4. Assessment:

- 4.1 Assessment of the subjects/units for the NALP Training Higher Diploma in Paralegal Practice should be either by assignments or examination or a combination of each and should be marked and moderated in accordance with the University's standard practice.
- 4.2 It is appreciated that assignment schedules differ throughout an LLB course and are dependant upon the specific requirements of each individual lecturer. However, all assignments for a particular module must be completed within the duration of the module. Students, who fail an assignment can, if appropriate and compliant with University regulations, submit a piece of referred work.
- 4.3 Examinations and re-sits will take place at the times timetables by the University.

5. Academic Standards:

- 5.1 NALP Training require students to achieve a 45% pass mark in assignments and examinations in order to be successful. If the University have different standards for a pass mark then this would be negotiated by further discussion.
- 5.2 The assignments, examination papers and all other assessments will be written by the University Law teaching staff and moderated internally and, where appropriate, externally, in order to sustain level and continuity. A copy of all examination papers and/or assignments will be sent to NALP Training prior to the assessments taking place.
- 5.3 NALP Training may require to see a sample of completed and marked assignments for quality assurance purposes.

6. Membership:

- 6.1 All undergraduates who successfully complete the Law Degree programme and the additional modules comprising the NALP Training Higher Diploma in Paralegal Practice will be eligible to upgrade their Membership of NALP to that of Graduate Membership, provided they keep up with their Affiliate Membership during their period of study.

7. Fees:

- 7.1 All undergraduates, at whatever stage in their studies, who register with the University onto the joint scheme will pay direct to NALP a one-off fee of £220 to cover NALP Membership. The number of years' NALP membership will be dependent on which year the undergraduate registers e.g. a third year will get two years' membership of NALP, a second year will get three years' membership and a first year will get four year's membership.
- 7.2 All fees are non-refundable.

8. Accreditation:

8.1 In order to capitalise on the uniqueness of the joint scheme the University will be given official accreditation to run it and both the University and NALP Training will be able to use their association for advertisement and recruitment purposes.

9. Paralegal Diplomas and Prizes:

9.1 In order to promote and encourage excellence and to raise the profile of the joint scheme amongst the LLB undergraduate population at the University, NALP Training will:

(a) Award to the Joint Programme student achieving the highest marks in the assessment of each of the modules comprising the joint scheme an engraved desk plaque in the form of a marble paperweight

(b) Award such other prizes as may be further agreed in the future.

9.2 It is suggested that a separate Award Ceremony be held each year at which each successful graduate will be personally presented with his or her Higher Diploma in Paralegal Practice and each successful graduate as in 9.1 above be presented with his or her Prize. The Chief Executive of NALP Training or some other senior officer will attend to make the presentation.

10. Implications for University/Academic Staff and Students:

10.1 University & Academic Staff

- i) A unique association with a Professional Legal Body;
- i) Additional '**Added Value**' for LLB undergraduates;
- ii) Potential increase in first year student intake;
- iv) Increased student retention;
- v) No increased workload for academic staff;

10.2 Students

- i) Membership of the Professional Paralegal body, NALP
- iii) Additional Legal Diploma – NALP Training Higher Diploma in Paralegal Practice;
- iii) Better prepared for future employment;
- iv) Membership of NALP will provide access to further qualifications and eligibility to register on the LPR (Licensed Paralegal Register)
- v) Membership of NALP also means that a member can apply for a NALP Licence to Practice, subject to eligibility requirements

11. General:

We are positive that there is a great need for law undergraduates not only to be aware of a viable professional alternative to qualifying as a solicitor, but to also be given the opportunity to be equipped to enter the paralegal market place.

A great many enquiries from law graduates, who have been referred to us via The Law Society, show that they have found that they are unable to obtain a training contract and/or that they are unable to either afford the LPC or to take the gamble on funding such course without any guarantee of a training contract at the end of it. The majority also seem surprised to find that

they are also unable to get a Paralegal position, thinking that their degree will automatically open the door for them in this respect.

The reason that it does not is that a degree is an academic qualification and does not provide skills on procedural law and practice. This is why it is necessary for graduates who are able obtain training contracts to go on to qualify as solicitors, to pass the LPC.

Paralegals (with experience) will be undertaking fee-earning work comparable to the average solicitor, and it is not surprising, therefore, that employers are looking for a similar degree of expertise from their potential Paralegals. Graduates with a qualification that includes Procedural Law and Practice have a far greater chance to enter the legal profession either as a career paralegal or possibly as a prospective trainee.

NALP Training offers a wide range of career development training and qualifications and a successful graduate will, after completing two year Paralegal experience in a firm of solicitors, or within a legal environment in commerce, industry or the legal sector, and fulfilling the necessary criteria, be eligible to gain a PNALP Licence to Practice (subject to fulfilling the criteria).

Once a practicing Certificate is gained, a paralegal can offer their services to the public or to prospective employer or set up their own Paralegal Practice.

12. University of Sunderland:

This programme was initiated with the University of Sunderland and has proved extremely popular both with the University and with their undergraduates and the University gave a presentation at the 2007 Annual Conference of the Association of Law Teachers (ALT) relating to its implementation and success.

The following are extracts from an article written by Mr. Peter Minto, the Senior Law Lecturer in charge of the programme at Sunderland:

“Students who have successfully participated in the scheme have already found it to have been of invaluable assistance in the furtherance of their legal careers. Positive feedback from third year undergraduate students highlights the increased interest in Sunderland University applicants shown by Universities offering LPC places. In addition, a number of students who graduated last year have already secured posts with local solicitor’s firms as Paralegals. Local solicitor’s offices, the legal departments of businesses and Local Authorities in the area are recognising the value of the Paralegal qualification and students have provided anecdotal evidence of the interest shown by potential employers in the qualification and scheme during the interview stages of post applications. The University of Sunderland is assisting them in their quest to employ high calibre graduates who possess not only an academic knowledge of the law, but who have also gained practical legal skills.

The undergraduate Law programme, in itself, whilst providing a high degree of academic legal knowledge, can leave the addition of legal skills to be something acquired by those who wish to proceed onto their vocational stages of training. With the Paralegal programme being integrated into the LLB course, all students participating in the scheme have the opportunity to obtain practical legal experience whilst they are undergraduates. For example, the Succession module not only covers the academic law concerning the legal requirements of Wills and the Intestacy rules, but also provides students with the opportunity to incorporate the practical skills of will writing and Probate application into the teaching and assessment programme. In the Civil and Criminal Practice module, students are partly assessed through

the use of case scenarios where the application of legal knowledge is provided through 'advice' based answers as though advising a live client.

A number of Law graduates will not progress onto the LPC stages of training, and whilst the possession of a Law Degree is undoubtedly an asset in the work place, most students will have only gained an academic understanding of the law and know very little of it's practical day to day procedures and processes. For smaller firms, especially those that do not have the time nor finances to invest in long initial training programmes, recruiting new staff that has already gained some practical legal experience in addition to academic knowledge means they have employees who are able to take on and manage their own case loads much more quickly.

Competition for posts by those who possess a good, academic knowledge of the law and practical legal skills, whether they be Paralegals or newly qualified solicitors, is going to become increasingly harder over the next few years, and the University of Sunderland, with their unique LLB (Hons) – Grad. PLL programme of study is leading the way to ensuring their Law undergraduates are at the forefront of the potentially imposing queues”.

This is merely an outline and different Universities may have different approaches, or ideas, as to how they would like to run such a programme. NALP Training will always be interested in discussing any variation.

Please contact the Chief Executive's Office to discuss further.

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