



## THE "R" WORD – REGULATION

By: Valerie A. Dolan, RP

Ask a lawyer his/her thoughts about regulating the paralegal profession and, in some cases, you will be able to see them visibly cringe or even flinch.

How do you regulate paralegals when there is no definition of a "paralegal?" How do you define a paralegal when there is no definition of the "practice of law?"

New Jersey cannot decide who should regulate the paralegals, the state or the Bar. Other states have enacted definitions and statutes regarding paralegals, while others are still struggling with this issue. The issue surrounding what constitutes a Legal Document Preparer is another issue that many states are struggling with and attempting to define.

The trend seems to be that the issue of regulation has finally been brought to the forefront and steps are being taken to see that this issue does not go away. Lawyers, paralegals and several other entities are seeking concrete definitions of a paralegal and/or a legal assistant, or even a legal document preparer. Are they the same? What are the differences? What contributions can they make? What would constitute the unauthorized practice of law?

These and many other interesting questions are now being brought to light and answers are being sought, if not demanded. Personally, I am looking forward to seeing where the road leads and what each state decides to put into place. I believe that this trend can only add to our profession and, hopefully, make lawyers stand up (or wake up, as the case may be) and notice our profession for the benefits that we can add to each law firm/company, and to clients, both financially and professionally.

I will be watching and waiting and will continually report to you any new developments regarding this issue.

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