



Metrolina Paralegal Association

AMENDED & RESTATED BYLAWS OF THE METROLINA PARALEGAL ASSOCIATION

*(Approved and adopted April 8, 1999; updated April 10, 2008, May 14, 2009,
April 14, 2011, April 11, 2013, April 20, 2017, October 18, 2018, and August 27, 2020)*

Article One

Name

The name of this association shall be The Metrolina Paralegal Association (hereinafter referred to as the “Association”). This Association shall be affiliated with the National Association of Legal Assistants, Inc. (“NALA”).

Article Two

Principal Address

The principal mailing address of the Association shall be P.O. Box 36260, Charlotte, North Carolina 28236-6260. The Association may have such other office or offices as may from time to time be designated by the Executive Board.

Article Three

Objectives and Purposes

The objectives and purposes of this Association shall be:

1. To establish good fellowship among Association members, NALA, and members of the legal community;
2. To encourage a high order of ethical and professional attainment;
3. To promote the profession of the paralegal; educating the public for the advancement and improvement of the profession; and broadening public understanding of the skills and function of the paralegal;
4. To encourage and foster continuing legal education of members of the Association;
5. To cooperate with local, state and American Bar Associations; and
6. To support and carry out the programs, purposes, aims and goals of NALA.

Article Four

Policy

The Association shall be nonsectarian, nonpartisan, nonprofit, and nonunion. No actions or programs may be initiated or undertaken (now or in the future) in conflict with the Bylaws of NALA or of the policies of that association.

The Association may assemble and disseminate statistics and other information, conduct investigations, and advertise and publicize its activities in or by any manner deemed suitable or appropriate by the Executive Board.

The Executive Board of the Metrolina Paralegal Association may authorize any officer or officers, agent or agents, to enter into any contract or execute any instrument on behalf of the Association, and such authority may be general or confined to specific instances.

No loans shall be contracted on behalf of the Association and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of a two-thirds (2/3) majority of the Executive Board. Such authority may be general or confined to specific instances.

Article Five

Members

1. **Eligibility.** Membership shall be open to paralegals, students in paralegal programs, attorneys, paralegal educators, officers of title insurance companies, and others of at least equal professional qualifications in related fields. Classes of members and their respective rights and privileges shall be as follows:

(a) **General Member.** A person shall be eligible to become a General Member of the Association provided such person either resides or is employed in North Carolina or South Carolina and:

(i) has completed at least three (3) years of continuous on-the-job training as a paralegal under the direct supervision of a licensed practicing attorney; or

(ii) has successfully completed a curriculum of paralegal training and is or has been employed under the direct supervision of a licensed practicing attorney; or

(iii) is a certified legal assistant as certified by the National Association of Legal Assistants, Inc.; or

(iv) is a North Carolina Certified Paralegal.

General Members shall be entitled to vote at all meetings of the Association and may hold elected office. Persons eligible for general membership shall make application for such membership in the manner adopted by the Executive Board.

(b) Associate Member. A person shall be eligible to become an Associate Member of this Association provided such person:

(i) is employed under the direct supervision of an attorney as a paralegal, but has been so employed for less than three (3) years; or

(ii) has successfully completed a paralegal training program but has had no practical experience as a paralegal; or

(iii) is enrolled as a student in a paralegal training program; or

(iv) is an individual, attorney, or paralegal program representative who endorses the paralegal concept or is involved in the promotion of the paralegal profession.

Associate Members shall not be entitled to vote at meetings of the Association and may not hold elected office. Such members may, however, chair and/or serve on Committees. Associate Members who have become eligible for general membership are responsible for notifying the First Vice President of the change in classification in the manner adopted by the Executive Board.

(c) Patron Members. A person and/or firm who expresses interest in giving added support to the goals and programs of the Association by paying such annual dues as may be set by the Executive Board. A Patron Member shall not be entitled to vote at membership meetings of the Association and may not hold office. Such a member may, however, serve as a voting Committee member.

All Patron Members shall receive a copy of all editions of the Paraview, and their names will be listed in all publications of the Association to denote their special status.

(d) Honorary Members. The Executive Board of the Association shall have the power to bestow honorary membership status on a person (who may or may not be a member of the Association) who has supported the goals and programs of the Association and given of their time and energy to such an extent that the membership and/or Executive Board of the Association feels his/her contributions deserve to be given special recognition. An Honorary Member shall not be entitled to vote at membership meetings of the Association and may not hold office.

2. Application. Application for membership shall be submitted to the Association on forms approved by the Executive Board. The forms should clearly state that the Association is an affiliated association of NALA and that all members are bound by the NALA Code of Ethics and Professional Responsibility in addition to any code adopted by the Association.

3. Rejection of Membership. If an application for any class of membership shall be rejected by the Executive Board on recommendation of the First Vice President, the application shall be returned to the applicant by the First Vice President with a letter outlining the reasons for such rejection.

4. Removal from Membership. On recommendation by the Ethics Committee, the Executive Board (by a majority vote of all its members) may cancel the membership of or remove from office any member who has:

- (a) violated the Code of Ethics as adopted by the Association, or
- (b) been guilty of conduct which could substantially injure the Association or its good name, or
- (c) failed to maintain a high standard of professional conduct.

5. Appeal from Cancellation or Rejection of Membership. Any individual whose membership has been rejected or canceled may make a written appeal for reinstatement as follows:

- (a) To the Executive Board, which appeal shall be heard at its next regular or special meeting, which is at least thirty (30) days from the date of denial or rejection. Appellant shall have the right to appear before the Executive Board at the time of the review.
- (b) No appellant shall have the right to apply for appeal more than once.
- (c) Any member whose application for reinstatement is pending shall not be entitled to any of the rights of a member in good standing.

Article Six

Dues

Dues for all classes of members shall be set annually by the Executive Board and presented to the membership for approval at any regularly scheduled meeting. Such dues shall be due and payable on the first day of July of each year and must be received within 60 days thereafter. A statement of dues for the ensuing fiscal year must be mailed by the First Vice President to members by June 15 of each year. Payment of dues must be made pursuant to the First Vice President's direction. Non-payment of dues by August 15th shall result in suspension of such person's membership. If a member does not renew his or her membership by August 15th, such person shall be deemed a new applicant and shall pay the \$10.00 application fee when his or her request for reinstatement of membership is submitted. No dues shall be pro-rated.

In addition to the foregoing, the following shall apply to General Members or Associate Members, as the case may be:

1. Amount and Due Date. Upon application for membership, the applicant shall pay an application fee of \$10.00 and the then current dues as set forth by the Executive Board for applicant's class of membership.

If such member's application is accepted in February, March or April, the member may

- (a) have such dues applied to the following fiscal year and forfeit voting rights for the remainder of the current fiscal year, or

(b) have such dues applied to the current fiscal year and maintain voting rights.

2. Change in Classification. Upon acceptance of an application by an Associate Member for change of classification to General Member, such person shall pay the difference between the dues currently set by the Executive Board for Associate Members and General Members, if any.

3. Patron Members. Patron Members shall pay annual dues; however, they will not be accountable for an initiation fee. Dues will be set by the Executive Board upon recommendation of the First Vice President and Treasurer.

Article Seven **General Meetings**

1. Membership. There shall be a meeting of the members of the Association and their guests at least four times during the year and at such other time(s) as may be deemed necessary or appropriate upon call of the President.

2. Meetings. Reservations will be required for all meetings and members will be held responsible to pay for their meal if they do not cancel their reservation at least twenty-four (24) hours prior to the meeting. If a member holding a reservation does not attend the meeting, the Treasurer will communicate with the member in writing requesting immediate payment. If payment is not made within thirty (30) days of the date of the written communication, the Treasurer may send a second notice for payment to the member. If payment is not made within fifteen (15) days of the date of the second notice, the Executive Board will have the right to suspend the member's membership rights until such payment is made.

3. Educational Meeting Quota. It is required that this Association hold a minimum of ten (10) hours of education during each fiscal year in order to maintain affiliation with NALA. These programs may be held in connection with general meetings of the membership and educational seminars.

4. Quorum. A quorum shall be defined as a majority of the voting members present at any meeting; provided, however, in order to effect a change in the Bylaws, a quorum shall be constituted as hereinafter provided in Article Thirteen.

5. Proxy Vote. Any General Member in good standing may appoint another General Member, by written authority, to vote his/her proxy at any meeting for the election of officers or at any meeting called for the purpose of amending the Bylaws of the Association. Such proxy shall be on a form approved by the President and shall be valid only for the item which is to be voted on for the meeting for which it shall be given. Such proxy shall become invalid if the signed member attends the meeting. Proxies shall be filed by General Members with the Secretary of the Association not less than one (1) week before the meeting is called to order for which such proxy is valid.

6. Vote by Electronic Transmission. Notwithstanding anything to the contrary in these Bylaws, if authorized by the Executive Board, any requirement that an action be taken by written ballot, including, but not limited to, the election of officers and amendments to the Bylaws of the Association, shall be satisfied by ballot submitted by electronic transmission, provided that

the electronic transmission shall either set forth or be submitted with information from which it can be determined that the electronic transmission was authorized by the member or proxy holder. Notwithstanding anything to the contrary in these Bylaws, any requirement of notice for an action to be by ballot submitted by electronic transmission shall be satisfied by transmission to the e-mail address of record of each member entitled to vote on such matters as of the date such notice is given, of a notice containing: (a) a description of the matter to be voted upon, (ii) a ballot to be submitted by electronic transmission, and (iii) instructions on how to submit such ballot.

Article Eight **Officers**

1. Nominations. Officers of the Association shall be elected at the meeting of members in April of each year. Nominees must be active working General Members for a minimum of one (1) year and be in good standing with the Association. Nominations for officers shall be made in the manner adopted by the Executive Board and shall be presented to the members for consideration thirty (30) days prior to the April election date. In addition, nominations may be made from the floor during the election meeting. Officers shall be elected by a majority of voting members present in person, or by proxy, at the April meeting. All officers shall be elected for a term of one (1) year. Unexpired terms of office shall be filled by appointment of the Executive Board. Any officer absent from three (3) consecutive membership meetings without good cause as determined by the Executive Board may be removed from office by the Executive Board.

2. Notice to NALA. Names of newly-elected or appointed officers shall be submitted to NALA headquarters and the Affiliated Associations Director by the Association's NALA Liaison within thirty (30) days after election and/or appointment.

3. Expenditures/Compensation. No officer, member or committee member shall be compensated for duties performed on behalf of the Association; however, an officer or any other member of the Association may be reimbursed for out-of-pocket expenses incurred in Association-related activities upon prior approval of the Treasurer and/or the appropriate Committee Chair. Prior approval of the Executive Board is required before any excess expenses are incurred. Any officer or member may submit vouchers to the Treasurer for approval, and reimbursement for expenditures for which prior approvals were not obtained, but such approval and reimbursement shall be at the sole discretion of the Executive Board.

4. Officers. Officers of the Association and their respective duties shall be as follows:

(a) President. The President shall preside over all meetings of the Executive Board and membership and shall appoint Standing and Special Committee Chairs unless otherwise provided in these Bylaws. The President shall be an ex-officio member of all Committees.

(b) First Vice President. The First Vice President shall assume all duties assigned to the President in the absence of the President at any meeting of the Executive Board, membership, or Committees. The First Vice President shall be responsible for maintaining the Association's membership roles, including receiving and approving membership applications. Upon approval of such application for membership,

the First Vice President shall prepare membership cards, certificates or letters for all members and shall collect and deliver the appropriate fees to the Treasurer. The First Vice President shall keep a record of each member's payment of dues, send annual renewal notices to members, notify members regarding delinquent dues, and make a report thereof to the Executive Board. The First Vice President also shall be responsible for maintaining an updated Membership Directory in a manner determined by the Executive Board.

The First Vice President shall be responsible for developing Patron Membership in the Association and receiving Patron Membership applications. Said applications shall be submitted to the Executive Board for approval prior to acceptance.

The First Vice President shall work with the Treasurer to make a recommendation to the Executive Board with respect to the setting of dues for the ensuing fiscal year of the Association.

(c) Second Vice President. The Second Vice President shall assume all duties assigned to the President in the absence of the President and the First Vice President at any meeting of the Executive Board, membership, or Committees. The Second Vice President is entitled to appoint and shall act as chair of the Program and Education Committee.

(d) Third Vice President. The Third Vice President shall assume all duties assigned to the President in the absence of the President and the First and Second Vice Presidents at any meeting of the Executive Board, membership, or Committees. The Third Vice President shall be responsible for the Job Bank, maintenance of the Association's website and social media outlets. Job Bank responsibilities will include contacting law firms and agencies and may include the review of publications and websites for information with regard to job vacancies. The information obtained shall be posted to the Association's website's Job Bank Section, which is available to members. Any Job Bank postings must be made only with permission of the advertising law firm or entity from which it is obtained.

(e) Secretary. The Secretary shall be responsible for keeping accurate minutes of all meetings of the Executive Board and membership and shall see that all notices required by the Bylaws are duly given except those provided by the Association's NALA Liaison. The Secretary shall be the custodian of the records, books, reports and other documents of the Association. The Secretary shall make the minutes of any Association meeting available to the NALA President upon request.

(f) Treasurer. The Treasurer shall deposit all funds into and make all disbursements from a bank account held in the name of the Association. All deposits must be made within five (5) banking days of receipt. All disbursements must be approved by the President and Treasurer within seven (7) days of receipt of the invoice; except, however, any extraordinary expenses must have Executive Board approval before any obligation to pay is incurred. All refunds must be approved by the Executive Board and must be made in the same manner in which the funds were received. Examples: PayPal, check, or cash.

The Treasurer shall submit all bank statements for the previous month to the Executive Board at each monthly Board meeting for review. The Treasurer shall maintain a ledger recording all disbursements and receipts of the Association and shall prepare monthly reports of the disbursements and receipts of the Association for approval first by the Executive Board and then by the general membership. Once the monthly report is approved by the general membership, it shall be attached to the official membership meeting minutes as part of the permanent record of the Association.

The Treasurer shall be responsible for preparing a proposed budget by January 31 for the ensuing fiscal year for adoption by the membership. The proposed budget shall be submitted to and approved by the Executive Board prior to the submission to the membership. The Treasurer, in association with the First Vice President, shall make a recommendation to the Executive Board with respect to the setting of dues for the ensuing fiscal year of the Association.

The Treasurer shall be responsible for all filings required by the Internal Revenue Service at the appropriate time for such filing each year. If a filing is due in May, the Treasurer serving in the prior fiscal year must perform the filing before his/her term expires.

(g) Parliamentarian. The Parliamentarian shall be familiar with the Bylaws of the Association and the NALA Bylaws and shall be responsible for parliamentary procedures at all meetings of the Executive Board and membership. *Roberts Rules of Order Newly Revised* shall be the parliamentary authority for items not covered by these Bylaws. The Parliamentarian also shall be responsible for preparing any revisions to the Bylaws in the manner adopted by the Executive Board.

This officer shall also plan and recommend to the Executive Board social activities and/or charitable fund-raisers for the Association and may form a committee to assist with organizing such approved activities.

(h) NALA and North Carolina State Bar (“the Bar”) Liaison. This officer shall be a NALA Member, shall be familiar with the NALA Bylaws and Standing Rules, shall receive minutes of all NALA Meetings, and shall represent the Association at the NALA annual meeting of affiliated associations. This officer shall report as required by NALA on association membership and activities to the NALA affiliated associations director on forms provided by NALA headquarters, and shall report all officers’ names to NALA headquarters and the NALA affiliated associations director. This officer shall be responsible in coordination with the Treasurer to send the annual dues to NALA in a timely manner.

This officer may submit items the Association wishes discussed to the NALA affiliated associations director and shall participate in discussion sessions at NALA annual meetings. A report to association members on the NALA annual meeting will be required.

This officer shall, within sixty (60) days of passage, notify the NALA Parliamentarian and affiliated associations director of any changes in the Association’s Bylaws. This officer shall be the main contact between NALA and the Association. This officer shall be a member of the governing body of this Association.

This officer shall also be responsible for maintaining contact and communication between the Association and the Bar, enhancing the relationship between the Association and the Bar, and such other similar matters, and making recommendations to the Executive Board for action, if any, by the Association.

(i) Student/School Relationship Liaison. This officer shall be responsible for maintaining contact and communication between the Association and the educational institutions in the Metrolina area which maintain active paralegal training programs and enhancing the relationship between the Association and said education institutions. In addition, this officer shall be responsible for coordinating and promoting the Meredith R. Pollette Annual Scholarship Contest and the awarding of said Scholarship.

5. Executive Board. The Executive Board shall be the governing body of the Association and shall be composed of the President, First Vice President, Second Vice President, Third Vice President, Secretary, Treasurer, Parliamentarian, NALA/Bar Liaison, Student/School Relationship Liaison, and the Chair of each Standing Committee. The immediate Past President of the Association shall be an ex-officio member of the Executive Board. The Executive Board shall meet at any time deemed necessary or appropriate upon call of the President.

Article Nine **Committees**

1. Standing Committees. The President shall appoint Standing Committee Chairs not otherwise provided for in these Bylaws, subject to the approval of the Executive Board and membership on such Committees shall be on a voluntary basis. All Committee Chairs shall report to the President unless otherwise indicated by these Bylaws. Appointments are to be made no later than thirty (30) days after the May meeting, if possible. Such Committees and their duties are as follows:

(a) Program and Education Committee. The Second Vice President shall appoint members to the Program and Education Committee. Such Committee shall be responsible for the planning of a program for each meeting of the membership, with emphasis on continuing education and/or local interest. Additionally, such Committee shall plan and carry out educational seminars twice a year. Information with respect to educational seminars offered by the National Association of Legal Assistants, and such other educational information as may be of interest to the membership shall be made available by this Committee.

(b) Audit Committee. The Executive Board will appoint the Audit Committee Chair, and this Chair will not already be a member of the Executive Board. Such Committee shall be responsible for certifying the correctness of all disbursements and receipts of the Association prior to the end of each fiscal year. Such Committee also shall be responsible for verifying the accuracy of all monthly Treasurer's reports.

The Audit Committee Chair must receive all financial documentation at the end of each quarter beginning July 31 of each fiscal year, and must alert the Executive Board if the materials are not received within 10 days after the end of each quarter.

(c) Ethics Committee. This Committee shall be formed on an as-needed basis to resolve any questions of ethics presented to it.

(d) Nominations and Election Committee. This Committee shall consist of the President and four (4) members, three (3) of whom must be General Members. Nominees for office (to be presented to the membership thirty (30) days prior to the election date) must have accepted such nominations prior to presentation of their names as candidates for office. The President shall be excused from any meeting of the Committee considering nominations for the office of President if he/she is eligible for re-election to such office.

(e) Publications Committee. The President shall appoint as Chair of this committee an Editor for the Association's official publication and other general or associate members who wish to assist with the compilation of the publication.

2. Special Committees. The President may at any time form a Special Committee for such purpose as deemed necessary and in the best interest of the Association.

3. Membership on Committees. Membership on Committees shall be voluntary, or if deemed necessary due to insufficient members having volunteered, by appointment of the President or Committee chair.

4. Limit of Committee Authority and Action. At no time shall a Standing or Special Committee preempt the stated authority and function of any officer of the Association. No Standing or Special Committee shall represent the Association nor hold itself out as being vested with any authority without specific authorization of the Executive Board. No such Committees shall likewise incur any financial obligations nor contract for this Association without specific authorization from the Executive Board.

5. Records. Detailed records of all actions of the Executive Board and each Committee shall be kept on file and are the property of the Association. As such, records kept by each officer and Committee Chair shall be passed on to his/her successor within thirty (30) days after the installation of officers.

Article Ten **Fiscal Year**

The fiscal year of the Association shall be from May 1 through April 30 of each year.

Article Eleven **Code of Ethics**

Every member of this Association shall subscribe to and be bound by the Code of Ethics and Professional Responsibility of NALA and any other code so adopted by the membership of this association. A copy of the NALA Code of Ethics and Professional Responsibility is attached hereto and incorporated herein by reference.

Article Twelve **Standing Rules**

The Executive Board shall and any General Member may propose and recommend Standing Rules to cover such matters and procedures governing the conduct of the affairs of the Association as annual dues, number of educational/social programs, and such other matters and procedures as may be deemed necessary or appropriate from time to time.

Such Standing Rules may be adopted and/or amended by a majority vote of the General Members present at any regularly scheduled or noticed meeting.

Article Thirteen **Amendments to the Bylaws**

These Bylaws may be amended in whole or in part provided said amendments are not in conflict with NALA Bylaws. Notice of any meeting called for the purpose of amending the Bylaws must be given at least twenty-five (25) days prior to the date of such meeting, and the Parliamentarian of the Association shall be charged with the duty of timely notice of the meeting, together with a copy of the proposed amendments, to all General Members of the Association. A quorum at such meeting shall be a majority of those General Members present either in person or by proxy. The NALA Parliamentarian must be advised of any amendments within sixty (60) days of passage.

Article Fourteen **Dissolution**

In the event of dissolution of this Association, all property and assets shall be distributed to a qualifying nonprofit, charitable organization as defined by the Internal Revenue Code and shall be selected by a majority vote of the remaining General Members of the Association at a meeting called for that purpose. In no event shall any of such property and assets be distributed to any member of the Association or to benefit any member or private individual.

Article Fifteen **Retention of Affiliation**

Affiliation with NALA is renewable each year by payment of an affiliation fee and attached to a current membership roster. In the event of suspension of affiliation, this Association may re-affiliate with NALA by submitting a new application with membership roster, bylaws, sample of educational programs, petition and current initial fee.

In addition to the renewal fee, this Association must comply with the required reports and requested procedures as outlined in these Bylaws.

The annual renewal fee is payable on October 1 and delinquent November 1. Payment received after due date must be accompanied by a late fee penalty established by NALA.

Article Sixteen
Document Retention

1. Pursuant to Article Eight, Section 4(e), the Secretary shall be the custodian of the documents and records. The President and Secretary should review the fiscal year's documents before April 30 to determine what should be kept and/or destroyed. Either the President or the Secretary may elect to retain certain documents not identified in this list. If such a decision is made, the document should be labeled "do not destroy." Any future President and/or Secretary may decide when such documents should be destroyed, if ever.

2. The following documents shall be retained in perpetuity in both hard-copy and electronic formats:

- (a) Secretary of State filings;
- (b) EIN number provided by the Internal Revenue Service;
- (c) Application for 501(c)(6) not-for-profit status;
- (d) IRS notification of approved 501(c)(6) status;
- (e) Board Minutes;
- (f) General Membership Meeting Minutes; and
- (g) Resolutions.

3. The following documents shall be destroyed after 7 years:

- (a) Correspondence not included in Section 1;
- (b) Membership lists;
- (c) Bank statements;
- (d) Filed IRS Form 990 tax returns; and
- (e) Treasurer's reports.

Article Seventeen
Electronic Communications and Remote Communications

1. **Electronic Transmission.** Any notice of the time, place if any, and purpose of any meeting as specified in these Bylaws; or any proxy given by a member, or any vote of the members or Executive Board of the Association shall be deemed given if delivered by electronic transmission. If notice, proxy, or vote is given by electronic transmission, the notice, proxy, or vote is given when electronically transmitted to the individual entitled to receive the same in a manner authorized by the Association. The term "Electronic" as used herein means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

2. **Remote Transmission.** If an individual or proxy holder may be present and vote at a meeting by remote communication, the individual or proxy holder shall be given notice of the means of remote communication allowed.

3. **Electronic Meetings.** The Executive Board and members may participate in a meeting by means of conference telephone or similar communications equipment by means, of which all persons participating in the meeting can communicate with each other. All participants shall be advised of the communications equipment and the names of the participants in the conference shall be divulged to all participants. Participation in a meeting pursuant to this Section

shall constitute presence in person at the meeting. Unless otherwise restricted by these Bylaws, a meeting as specified in this Section, may be conducted solely by means of remote communication.

[NALA Code of Ethics and Professional Responsibility follows on next page]

NALA Code of Ethics and Professional Responsibility

Reprinted with permission of the National Association of Legal Assistants, Inc. Inquiries should be directed to NALA, 7666 E. 61st, Suite 315, Tulsa, OK 74133, or by e-mail to nalanet@nala.org.

Copyright® 2007; Adopted 1975; Revised 1979, 1988, 1995, 2007. - National Association of Legal Assistants, Inc.

Each NALA member agrees to follow the canons of the NALA Code of Ethics and Professional Responsibility. Violations of the Code may result in cancellation of membership. First adopted by the NALA membership in May of 1975, the Code of Ethics and Professional Responsibility is the foundation of ethical practices of paralegals in the legal community.

A paralegal must adhere strictly to the accepted standards of legal ethics and to the general principles of proper conduct. The performance of the duties of the paralegal shall be governed by specific canons as defined herein so that justice will be served and goals of the profession attained. (See Model Standards and Guidelines for Utilization of Legal Assistants, Section II.)

The canons of ethics set forth hereafter are adopted by the National Association of Legal Assistants, Inc., as a general guide intended to aid paralegals and attorneys. The enumeration of these rules does not mean there are not others of equal importance although not specifically mentioned. Court rules, agency rules and statutes must be taken into consideration when interpreting the canons.

Definition: Legal assistants, also known as paralegals, are a distinguishable group of persons who assist attorneys in the delivery of legal services. Through formal education, training and experience, legal assistants have knowledge and expertise regarding the legal system and substantive and procedural law which qualify them to do work of a legal nature under the supervision of an attorney.

In **2001**, NALA members also adopted the ABA definition of a legal assistant/paralegal, as follows:

A legal assistant or paralegal is a person qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity who performs specifically delegated substantive legal work for which a lawyer is responsible. (Adopted by the ABA in 1997)

Canon 1 - A paralegal must not perform any of the duties that attorneys only may perform nor take any actions that attorneys may not take.

Canon 2 - A paralegal may perform any task which is properly delegated and supervised by an attorney, as long as the attorney is ultimately responsible to the client, maintains a direct relationship with the client, and assumes professional responsibility for the work product.

Canon 3 - A paralegal must not: (a) engage in, encourage, or contribute to any act which could constitute the unauthorized practice of law; and (b) establish attorney-client relationships, set fees, give legal opinions or advice or represent a client before a court or agency unless so authorized by that court or agency; and (c) engage in conduct or take any action which would assist or involve the attorney in a violation of professional ethics or give the appearance of professional impropriety.

Canon 4 - A paralegal must use discretion and professional judgment commensurate with knowledge and experience but must not render independent legal judgment in place of an attorney. The services of an attorney are essential in the public interest whenever such legal judgment is required.

Canon 5 - A paralegal must disclose his or her status as a paralegal at the outset of any professional relationship with a client, attorney, a court or administrative agency or personnel thereof, or a member of the general public. A paralegal must act prudently in determining the extent to which a client may be assisted without the presence of an attorney.

Canon 6 - A paralegal must strive to maintain integrity and a high degree of competency through education and training with respect to professional responsibility, local rules and practice, and through continuing education in substantive areas of law to better assist the legal profession in fulfilling its duty to provide legal service.

Canon 7 - A paralegal must protect the confidences of a client and must not violate any rule or statute now in effect or hereafter enacted controlling the doctrine of privileged communications between a client and an attorney.

Canon 8 - A paralegal must disclose to his or her employer or prospective employer any pre-existing client or personal relationship that may conflict with the interests of the employer or prospective employer and/or their clients.

Canon 9 - A paralegal must do all other things incidental, necessary, or expedient for the attainment of the ethics and responsibilities as defined by statute or rule of court.

Canon 10 - A paralegal's conduct is guided by bar associations' codes of professional responsibility and rules of professional conduct.