

Praise for *The Indispensable Paralegal*

“[It’s] a well-written, thoughtful book about how to flourish in a paralegal career. Zona-Mendola shares practical suggestions and wise life lessons alike, creating what I would have not thought possible: an entertaining and educational book for paralegals at all levels of experience.”

—Rick Friedman, past president of the Inner Circle of Advocates and coauthor of
Rules of the Road: A Plaintiff’s Guide to Proving Liability

“We finally have a great book for the real forces of nature in the practice of law—paralegals. This book is a must-read for paralegals. It probably wouldn’t hurt for lawyers to read it as well.”

—Charla Aldous, has over 250 jury trials under her belt with over \$1 billion in verdicts, member of the Inner Circle of Advocates, six time Plaintiff’s Lawyer of the Year, and champion to the injured who did it all while raising four incredible kids

“Every successful attorney we know owes much of their success to hard-working, dedicated paralegals. This is such a wonderful and informative book; it’s a must-read for anybody who is, wants to be, or works with paralegals.”

—Nicholas Rowley and Courtney Rowley, coauthors of *Running with the Bulls*, have won over \$1 billion in settlements and verdicts for injured plaintiffs

“Candess shares what it takes to get a case ready from the cockpit. Her book is a practical step-by-step guide to help paralegals understand their important role in the litigation team. A case is only as good as the evidence developed in the pre-suit and litigation process. With this book, paralegals, new and old, can hone their skills in getting a case ready for trial.”

—Mark Kosieradzki, author of *30(b)(6): Deposing Corporations, Organizations & the Government*

“Real paralegals are worth their weight in platinum. But not if you or the attorney you work for thinks of paralegals as secretaries or clerks or coffee automatons—or anything less than skilled, knowledgeable, 100 percent reliable colleagues. Many an attorney wastes their paralegal by ignoring their true potential. Too many paralegals think of themselves as subordinate assistants, and settle into the dreary career of everything that title implies. Candess Zona-Mendola is the remedy. She teaches what paralegals can and should be, and how to get there. I’ve been in many trial-prep strategy meetings where the paralegal was little more than a note-taker, fact-reminder, or custodian of the snack tray. But I also know many great paralegals are working with attorneys who know their value—not as underlings but as skilled, wise colleagues. Start yourself on that path—lawyers on the path of realizing the value a great paralegal (if you’d just let ‘em and encourage ‘em). For paralegals, would-be paralegals, and attorneys, this book is a great first and giant step in the right direction. A paralegal who does not know how to strive to be great is like a lion who thinks he’s a poodle.”

—David Ball, author of *David Ball on Damages*

“There are many secrets to winning big verdicts. Here’s one of the most important ones: A great paralegal is more important than a lawyer. Behind every great trial lawyer, there is an equally great paralegal. Really good paralegals make us shine. No one wins big verdicts alone. They help us do our best work. Candess understands what it means to be a great paralegal. She lives and breathes it. Her book can help you become a great paralegal, too.”

—Lisa Blue, one of the most influential lawyers in America, has won more than \$350 million in record-setting verdicts for her clients. A trial lawyer, philanthropist, and mother of five, Lisa has written five books, four are on jury selection.

“Zona-Mendola captures the essence of what it’s really like to work as a paralegal and provides a road map for how to perform at the highest level. Brilliant and much needed.”

—Theresa Bowen Hatch, coauthor of *Trial by Woman*

“Finally, a publication that really provides practical insight for elevating your paralegal skills from good to great!”

—Andrew Sher, twenty-five-year veteran trial lawyer

“*The Indispensable Paralegal* is an essential primer for both aspiring and accomplished paralegals alike, managing to be both informative and enjoyable until the last page. As a practicing attorney, I found the advice in this book to be spot-on as it identifies the key components to excelling as a paralegal in any legal practice. If you’re looking to enhance your own paralegal career or provide guidance to the paralegals you work with, *The Indispensable Paralegal* is a must-read book.”

—Amanda Pierson, associate at Stilwell Trial Law

“Candess is truly “worth any four lawyers.” I have very real experience of being part of her trial team twice. And both times, I have witnessed her pulling everyone’s weight, plus fresh baby paralegals with little to no trial experiences. Without a great paralegal, every hour of trial is constant struggle. This is truly one of the best knowledge books on being a paralegal and working in the legal field. Nothing can really express or capture what an amazing superwoman Candess is. She has every one of her colleagues’ utmost respect.”

—Caroline Choe, paralegal at the Philadelphia office of Seeger Weiss, LLP

“This book is definitely something needed in this world. A book which breaks down what goes through the life of a career paralegal and what is needed to succeed and survive in a profession which is often mistaken as a regular day job. Whether you are a person with little or no experience as a paralegal or someone who has been doing it for a long time, you can appreciate this book.”

—Gerard Maglasang, paralegal at the New Jersey office of Seeger Weiss, LLP

“Candess is an extremely knowledgeable paralegal. She understands the stress of the job, especially during trial, and is always there to assist other teams if needed. She is dedicated, bright, and always finds a way to encourage others to dig a little deeper, rest, replenish their minds, and go back to the assignment at 110 percent. [Her] book brings the true role of a paralegal to light. Our day-to-day job is more than just following a docket or printing out documents. It’s a dedicated craft that takes patience, fortitude, motivation, and a widening skill set to master. Enjoy the read as you begin your quest to become a top-tier paralegal (like Candess)!”

—Scott Siegel, paralegal manager at the New York office of Seeger Weiss, LLP

“I wish I had had this twenty-two years ago when I first stepped into the legal field. This would have prepared me for all the big and little things I had to face and figure out alone. [It’s]an empowering guide, full of important, need-to-know information. For those of us who want to enhance our skill set to become a ‘indispensable paralegal,’ this is a must-read book... READ IT! Keep it at the corner of your desk, as one can learn various tricks of the trade from Candess Zona-Mendola.”

—Denise G. Ramirez, trial/mass tort paralegal at the Heard Law Firm, PLLC

The **Indispensable Paralegal**

Your Guide to Getting It All Done

By Candess Zona-Mendola

Trial Guides, LLC, Portland, Oregon 97210

Copyright © 2019 by Candess Zona-Mendola.

All rights reserved.

TRIAL GUIDES and logo are registered trademarks of
Trial Guides, LLC.

ISBN: 978-1-941007-85-3

These materials, or any parts or portions thereof, may not be reproduced in any form, written or mechanical, or be programmed into any electronic storage or retrieval system, without the express written permission of Trial Guides, LLC, unless such copying is expressly permitted by federal copyright law. Please direct inquiries to:

Trial Guides, LLC

Attn: Permissions

2350 NW York Street

Portland, OR 97210

(800) 309-6845

www.trialguides.com

Managing Editor: Tina Ricks

Production Editor: Travis Kremer

Copyeditor: Patricia Esposito

Proofreader: Tara Lehmann

Cover Design: Alexandra Starkovich

Original Interior Template Design by Laura Lind Design

Interior Layout by Travis Kremer

Printed and bound in the United States of America.

Printed on acid-free paper.

To my children,

May you always brave the storms, take the road less traveled, and face your fears—for one of life's greatest joys is accomplishing something really big and really hard.

Contents

Publisher's Notice	ix
Acknowledgments	xi
Foreword	xiii
Introduction	xvii

Part One: You, Paralegal

1. Paralegal Typcasting	1
2. Paycheck, Please!	17
3. What an Attorney Needs from You	31
4. Paralegal Ethics	57
5. Paralegal Effectiveness	77
6. On-the-Job Training	85
7. Working with Other Paralegals	95
8. Stress and the Paralegal	107
9. Procrastination	119
10. Ten Things I Wish I'd Known	129

Part Two: Practice Pointers

11. Practice and Procedure	142
12. Navigating the US Court System	165
13. Cases from Birth to Death	177
14. Appeals	195
15. Discovery, Meet Paralegal	205

16. Prelitigation 233
17. Legal Writing 243
18. Technology 253
19. Trials 263

Part Three: Taking Your Practice to the Next Level

20. CLEs 279
21. Becoming a Mentor 289
22. The Law School Leap 297

Conclusion 307
Resources 309
Index 323

Publisher's Notice

This book is intended as a source of information and advice for individuals who are considering a career as a paralegal, seeking employment as a paralegal, or working as a paralegal. It does not offer legal, financial, medical or psychological advice or take the place of consultation with professionals who have appropriate expertise and experience to address the particular needs of the reader.

Readers are strongly cautioned to evaluate information, ideas, and opinions set forth in this book in light of their own research, experience, and judgment. Readers should also consult applicable rules, regulations, procedures, cases, and statutes (including those issued after the publication date of this book), and make independent decisions about whether and how to apply such information, ideas, and opinions for any particular use.

Readers who are employed as paralegals are also strongly cautioned to adhere to the laws and codes of professional conduct that apply to paralegals, and to seek appropriate professional advice in distinguishing between tasks that can be performed lawfully by a paralegal and tasks that can be performed only by an attorney admitted to practice.

Whenever an individual is identified by a first name only, or by a name that is self-evidently fictional (e.g., "John Doe"), the names are fictional, and any resemblance between these fictional names and real persons is strictly coincidental and unintentional.

Third-party trademarks are used for informational purposes only, and no affiliation with trademark owners is claimed or implied.

The publisher disclaims any liability or responsibility for loss or damage resulting from the use of this book or the information, ideas, and opinions contained in this book. No promise is made to the reader that a successful career as a paralegal will result from reading this book.

Acknowledgments

Before I thank any one person, I must first thank the one who has borne the brunt of the beating, the tears and sweat of my frustration, the crumbs of my meals, the scratches of my bobby pins, and the constant ins and outs of my purse no matter where we go. Thank you, Apple laptop. This book would not have been written (or typed) without you.

Now for the humans:

Thank you to my editor. Thank you to Tina. You have spent the last year dealing with my trial schedule and wayward thoughts. And you have done so with so much patience and kindness. You have been a wonderful mentor in the writing of my first book. Thank you for your criticisms and thoughtfulness.

Thank you to my production editor, Travis, who not only made this book organized and very pretty, but also transformed this book from a Microsoft Word document to a fully printed tour de force. Thank you for taking my words and making them tangible. You are truly a jack-of-all-trades.

Thank you to my copyeditor, Patricia, who not only is a master at catching my spelling mistakes and grammar slips, but who is the perfectionist that I wished I could be when I grew up.

Thank you to my proofreader, Tara Lehmann, who also is a master of spelling and grammar, as well as any typographical errors that result from my clumsy fingers. You are truly a master at your craft.

Thank you to my indexer, Lucie, or as I like to call her, “the enchantress who magically made the index to help everyone find what they need.” Thank you for lending us your skills and brilliant mind.

Thank you to the legal team who made sure we all don’t get sued. Thank you for double- and triple-checking my work. You already know how much I love lawyers. Well, I love you all just as much, if not more.

Thank you to my publisher, Trial Guides. For simply believing in me. And for believing that paralegals deserve a book of their own, too.

Thank you to those who have taught me. To my parents (John and Dorene), my sisters (Tabatha and Jessica), my school teachers and professors, David (my first lawyer), every other lawyer I have worked with throughout the years, my trial brethren, my fellow paralegals and legal assistants, every author of every book I have ever read, thank you for teaching me your wisdom and the lessons I needed to be a good paralegal and a better human.

Thank you to those I have mentored. You know who you are, and you know I think you are amazing. Whether you have gone on to be amazing paralegals (most of you have), have gone to law school (one of you has), or used your skills in other endeavors, I hope you always know I am thinking of you. You have taught me more than you will ever know. I can't wait to hear from you to find out what I am missing in this book.

Thank you to my partner in crime. You have supported me from the inception of this book through its last binding, as you have supported me in everything else I do in my career and life. Thank you for lending me your ear, for acting as my sounding board, and for reminding me that we all have amazing stories that are worth sharing. Thank you for being the Amos to my Daniel.

Thank you to my family. Thank you to my husband, Tim, and my beautiful children. You have had to endure my loud typing, frustrated sighs, elated exclamations, missed events, and pleas for more coffee! Thank you for your patience with me, the warm hugs, the refrigerated leftovers, and the silencing of the dog. It was your love and support that helped me press on. Your sacrifices for me to write this book, and grow my career, are not lost on me. Thank you for always understanding. Thank you most for being my people.

Lastly, thank you to my readers. It is for you that I have written this book. No matter where you are in life (be it at a café in Paris or just starting your second law-firm job), I hope this book has given you at least something to think about. Your career and story are unique. I hope you make them both great. Stay always hungry for more.

Foreword

“That’s Joe Rice’s paralegal. She’s worth any four lawyers.” That was one of the first pieces of advice I was given at the beginning of my very first clerkship. It was also one of the most helpful insights that anyone in the legal field has shared with me. Ever.

Good paralegals are worth their weight in gold. Great paralegals are beyond value. They are indispensable.

How a particular lawyer will work with a paralegal varies, often based on three factors:

1. What career stage the lawyer is in.
2. How the lawyer views the paralegal’s role.
3. The skill set that the particular paralegal brings to the table.

Law school does not teach lawyers everything they need to know to be a lawyer. Law school teaches students only how to do legal research, write like a lawyer, and argue like a lawyer. That covers (at most) half of the things a lawyer has to do in any given day. Law school never teaches the many things absolutely essential to legal practice—how to take a deposition, try a case, interact with clients, work with other legal professionals, initiate cases in the court system, organize files, calculate deadlines and put them on the calendar, process serve documents, and so on. These are all things that lawyers have to learn on the job.

When I was a baby lawyer, I found that paralegals were an incredible source of practical wisdom. There were lots of questions that vexed me, while the answers seemed completely obvious to my paralegals. While I had been studying in law school, the paralegals had actually been working in law firms. They knew many things that I didn’t know. They knew how things worked. As a baby lawyer, I was able to ask some

questions of more senior lawyers. Some I figured out myself. For everything else, my paralegals helped me find my way. I am forever grateful to the paralegals who answered my questions and never made me feel stupid for asking. They were gracious enough to remember when they, too, were getting started and how many questions they'd had.

As I got older and became more comfortable in my skills as a lawyer, I learned how much more work I could get done when I was lucky enough to have a good paralegal to work with. You would think that, working as a well-functioning team, a good lawyer and a good paralegal could get twice as much done as they could on their own. But that has not been my experience. I can't explain it, but in my experience I could get *three* times more work done with a good paralegal than I could on my own. I don't know why this is.

And what about a great paralegal? A great paralegal can change the game. A great paralegal can be a tremendous force multiplier. Again, I can't explain why. I just know it to be true from working with multiple paralegals at multiple firms over the years. So, for what I can't explain, I will give examples.

I'm a Trial Lawyer

I have prepared for and gone to trial both with great paralegals and with not-so-great ones. Sometimes, I have gone to trial without a paralegal at all. For me, the experience was night and day. A great paralegal frees me up to focus completely on a smaller set of tasks. Take a random forty-five-minute snapshot of my life in trial during a lunchbreak. In this forty-five-minute period, knowing that I am backed up by a great paralegal, I can focus on getting ready for the next witness, negotiating evidentiary issues with opposing counsel, answering the client's questions, and answering questions from the judge. Without a great paralegal, I need to do this *and* set up the trial projector, screen, ELMO, television, and sound system; call the next day's witnesses to make sure

they know when and where to be; run back to the office to make extra copies of a last-minute exhibit; find the darn exhibit so that we can make copies of it; and book the travel arrangements for the expert witnesses so that they will arrive on time for the next day's testimony. And that's just what I've remembered to do. Who knows what I've forgotten to do. The never-ending to-do list just goes on and on and on.

With a great paralegal, trials are an exciting challenge and one of the most exhilarating things that I get to do. But without a great paralegal . . . well, I'm getting anxious just thinking about having to juggle it all on my own.

Oh, and who remembered to order lunch to be delivered to the courthouse for the trial team? Without a great paralegal backing me up, my client, my witness, and my trial team are likely to go into the second half of trial hungry and distracted.

I'm a Food Safety Lawyer

I help families who have been harmed by deadly food poisoning pathogens, like *E. coli*, *Listeria*, *Salmonella*, and *Vibrio*. I have found that when working with a great paralegal, we can help so many more people than either of us could ever help on our own.

I Started a New Firm

With *my* indispensable paralegal (whose book you are reading), I started a new law firm. Looking back—especially at our first year—I'm amazed at how much we accomplished. I'm not sure how we did it. I know that if I'd had to do it on my own, it would have taken me many years to accomplish everything we did in that first year alone. What rapidly grew

to be a successful firm might never have survived. It certainly would not be what it is today.

And maybe that captures the essence of the lawyer–paralegal working relationship: together we can accomplish so much more than either of us could on our own. This is what makes great paralegals indispensable.

Let's go back to the three factors I mentioned at the beginning. Remember how two of the three factors were about the lawyer, not the paralegal? This book gives you the tools you need to become a great paralegal. Building your skill set and helping clients and coworkers will make up half of your happiness in work. The other half of your work happiness will come from whom you work with. Who are the other paralegals you work with? Who are the lawyers you work with? Do you feel valued in your work? Do you feel you are seen as a professional? Because you *are* a professional.

If you are taking the time to read this book, you are already on your way to becoming a great paralegal, maybe even an indispensable one. Here is my advice to you: Focus on becoming the best you can be at what you do. Then look around you. Make sure that the people you work with see you for who you are and what you are capable of. Give them the same in return—see them for what they are capable of.

I want to work with great paralegals because they make my work so much better and my work life so much happier. As a paralegal, you need to look for lawyers and other paralegals who make your work better and your work life happier. Start by helping the lawyers and other paralegals in your office. Then see which ones help you in return. Then keep working hard and building your skills. These are the keys to finding and earning your place as an indispensable paralegal.

—Jory Lange

Introduction

Welcome. I would not be much of a host if I did not offer a salutation to you. If you are reading this, then you are likely one of three people:

1. A paralegal who wants more out of their practice
2. Someone who wants to become a paralegal
3. An attorney who is intrigued by the title and wants to educate their staff

Regardless of your place, welcome to my book and to a glimpse into my world as a paralegal.

When I entered the profession, I was young and overwhelmed, and there weren't very many resources available. I read every paralegal practice book I could get my hands on, as well as books that catered only to attorneys. I relied on more experienced paralegals and some amazing lawyers to guide me. But as the internet developed, blogs became prevalent, and social media grew popular, more and more resources were available to learn about the paralegal profession. It became apparent to me that, while there is a lot of information out there, there is no simplified reference guide for the new paralegal.

Who Is This Book For?

This is the book I wish I'd had at the dawn of my paralegal career. It is the crutch I desperately wanted in those early days when everything was new and confusing. Within these pages lies a culmination of the lessons I have learned as a paralegal. It is for you, the paralegal, who is trying to figure it all out or who wants another approach to the practice.

This book is also for those who want to set themselves apart from the pack. For legal assistants or paralegals who want more out of their careers—without attending law school. It may help the paralegal who is in a rut. It is written for the busy, overworked, and unsung hero of the legal practice.

This book is more than just about becoming a paralegal. If you went to paralegal school or have worked in the legal profession for a while, you have *already* become a paralegal. I am sure you have read at least one paralegal book on how to be a paralegal or how to empower yourself in the profession. This book will help you become an *indispensable* paralegal and set you apart from the pack. Its purpose is to help you find the unique paralegal in yourself. It is a guidebook on making yourself dynamic in a competitive and growing field.

What Makes Me Credible?

I am a paralegal, and although my years of education help a great deal when I need to defend my billable hours in front of a judge, my college degrees alone are not what make me an expert. They definitely make my resume look authentic, but paralegals come from many different backgrounds and have a vast array of entries into the profession.

My credibility comes from the humblest places I can offer: the lessons from those more knowledgeable than me, a collection of hands-on experiences, and the lessons I learned from my failures. I have soaked up a lot of knowledge along the way and continue to do so. I have owned my mistakes, and, by doing that, I have owned my work product. With every lesson, I become a little bit better. Through my own journey as a paralegal, I have been exposed to several diverse areas of law, known the elation of a large jury verdict in favor of my client, and suffered the gut-wrenching defeat after losing a case into which I poured five years of my life. My journey has brought me to my current firm, where the very crux of our creed is to help people who have been sickened and injured by the

negligence of others. I am blessed to be a senior trial paralegal. I am even more blessed that my journey has allowed me to lead teams, oversee complex dockets and cases alongside incredible attorneys, and assist in trying cases all over the United States.

How Is This Book Structured?

This book is organized into three sections. You can read it cover to cover or use it as a reference guide in a pinch. The three sections of this book are divided as follows:

Part One: You, Paralegal

This section focuses on your individual practice. Its purpose is to help you define the type of paralegal you want to be and how to reach that goal. It will explain the objectives of the paralegal profession and the importance of the position in the legal arena.

Part Two: Practice Pointers

This is the reference section of the book. Each chapter focuses on a different aspect of the paralegal practice to make the copious amounts of information easier to reference, understand, and execute.

Part Three: Taking Your Practice to the Next Level

This section is for those paralegals who want more out of their practice. These chapters will focus on some ideas you can apply to your work product or to further educate yourself to become more successful in the field.

What Exactly Is an Indispensable Paralegal?

As cliché as it may sound, I have always loved helping people. I enjoy helping my clients, my attorneys, even the amazing coworkers who diligently help me assemble motion documents. Helping people is why I came to the legal field in the first place.

Many, like me, delight in the helping professions. Paralegals help people. They help solve hard problems. It is a great career for the inquisitive person. I like to be a step (or eight) ahead of the game. I strive to be as prepared and as knowledgeable as possible. If I do not know something, it is not unlike me to spend an entire weekend researching and reading about it. I ask questions—maybe too many questions. I am observant and intellectually curious. I try to tailor my work to what my attorney or administrator wants or needs. I store information in the deep recesses of my brain for later use. I care. I deeply care. This is why I became a paralegal.

If you love dictionaries as much as I do, you likely know that *indispensable* means *absolutely necessary*. Paralegals are absolutely necessary to the legal profession. That is a fact. But becoming *the* indispensable paralegal is a journey down the harder road. In my mind, I do what every other average paralegal does—filing, research, assisting a trial

team, and so on—but then I realized that I needed to stand apart from the average paralegal to be truly indispensable. I took the road less traveled, and it made all of the difference when it came to my career. I go above and beyond. I put an extraordinary amount of effort and thought into what I do. I bend over backward. I always go one step further. I am always learning and always trying to better my work and practice. The best paralegals I know are this way. We do it all.

This is the definition of an indispensable paralegal. We are paralegals who use our legal and nonlegal skills to make a difference in our firms and in our attorneys' lives. We are not paralegals from 9:00 a.m. to 5:00 p.m. We are the proud warriors of our law firm's army. We are the people who work until almost midnight on a Friday night when a deadline is nigh without request or complaint. We are the ones who tab the Rules of Civil Procedure to make it easier for our attorney to find the law they need. We troubleshoot printers. We organize and reorganize. We learn to make miracles happen with PowerPoint presentations hours before oral arguments. We find problems and fix them. We run to the store for toothpaste before a hearing. We hold the hands of our crying clients and, at times, our crying attorneys. We teach other paralegals (and again sometimes our attorneys) the minute details of Excel. We search the entire office for a missing cell phone. We are dependable and easy to get hold of when needed. We pack snacks in deposition boxes knowing our lawyer will not eat that day. We remember birthdays. We lend an open ear, and an authentic smile. We make our attorneys' lives easier. Sometimes, we make them harder. We give openly and lovingly, knowing that a "thank you" may never come. We check our emails too often. We champion for our client. We never miss a deadline. We smile at a perfectly formatted brief with bags under our eyes at a job well done. We are an integral part of the legal machine.

Why This Book?

Let's face it: If you are an employed paralegal, you are busy. If you are a new paralegal, you are likely as overwhelmed as I was when I was fresh to the field. Neither has the time to decipher cryptic jargon. We have plenty of case law or ancient rules to read for that.

The idea for this book was born out of necessity—to provide an accessible and understandable guide to the profession and practice. This book is a collection of lessons learned from my seventeen years of paralegal practice. It is a window into the way I have fashioned my practice, and my own little book of secrets. It is how I do it all, and you can, too. It is the book I wish I had when I started. If one existed, this would have been the book I gave to every paralegal I mentored throughout the years. It is my gift to them and to you.

So, without further ado, I present to you *The Indispensable Paralegal*.

PART ONE

YOU, PARALEGAL

1

PARALEGAL TYPECASTING

You Are Not a One-Hit Wonder

- What Does a Paralegal Do?
- Let's Talk about Typecasting
- The Types of Paralegals, in a Nutshell
- What Specialty or Niche Is Right for You?
- Summary

One of the best perks about being a paralegal is the flexibility and options the profession allows. There are so many diverse types of paralegals in various locales and companies. If you need to move to another state, odds are you will be able to find a job. You don't like a law firm setting and want to try a government or business-related environment, you can. The possibilities are unlimited.

What Does a Paralegal Do?

What exactly does a paralegal do? This is a question I am asked more often than I am asked to spell my name—which is almost every time.

In the beginning, I was surprised to learn that so many people do not know what paralegals actually do. Last year, I volunteered at my daughter's school for career day to talk about my profession. I had no illusions of grandeur that elementary school students would know anything about the paralegal trade. What surprised me was how few adults, including my fellow career-day volunteers, understood what I did for a living. One delightful and thoughtful woman thought I was a paramedic and asked me why I was wearing a suit and not my medical clothes. An engineer thought all I did was write contracts, like what the paralegals at his firm did. Most were surprised to learn that I offer support in trials and assist my firm in complex, high-damage cases. It was wonderful to talk about what I do on a daily basis, but hard to fully express what *exactly* it is that I do.

The job duties and tasks of most paralegals, regardless of specialty, have similarities. For example, most paralegals are responsible for filing (both in office and through court systems), drafting paperwork (both legal and nonlegal), conducting research, interviewing clients and witnesses, acting as a liaison between the attorney and several agencies, corresponding with clients, and helping to vet and build cases. But when paralegals specialize, the methods of and reasons for their tasks become varied. A civil paralegal and a criminal paralegal both use discovery to prove their cases but may go about it in very different ways. A paralegal cannot be described just by her tasks and responsibilities alone.

So, how am I to explain what I do? Everyone seems to know what lawyers do from watching television and movies. People may have an idea in their minds of lawyers who appear in court, argue with the

judge, address the jury in a charming fashion, and unveil that perfect piece of evidence at just the right moment. But as my amazing friend once told me, we all know that it's not real. It is only a tiny slice with a lot of icing and poetic license.

So, if most people don't 100 percent know what lawyers do, how can I even begin to explain what I do? Am I a lawyer's secretary? No, I am much more than that. Am I their personal assistant? It sometimes feels that way, but no. In conversations, I used to say that paralegals were legal assistants with degrees, but that also did not encompass all that paralegals do or even how diverse they can be. I have since settled on a temporary explanation—relating my relationship to lawyers like that of nurses to doctors. Nurses assist doctors, like I assist lawyers, but they are more than just assistants. They are responsible and experienced individuals who are proactive in their care. Their opinions are valued and, at times, can stand on their own. Their experience helps train the next generation of nurses. They are diehard leaders who advocate for their patients and sacrifice themselves in the process. At the time, I felt I was more like a nurse than an assistant. In fact, I was proud to even compare myself to them.

But that's only what I do as a paralegal. Other types of paralegals do other tasks. The paralegal profession has a diverse group of specializations and placements in legal, governmental, administrative, business, and even financial realms. Paralegals work in government offices. Some work in banks. Many work in large corporations, in and outside of legal departments. Most work in law offices, like me. Others work in nonprofits, at banks, or at insurance agencies.

Are you thinking of becoming a paralegal? Or are you recently out of paralegal school and trying to decide what specialty is best for you? Maybe you have been a paralegal for a while and feel like you need a change of scenery? One of the best parts of becoming a paralegal is the flexibility to work in different specialties and different types of work places. Don't feel like you are stuck in one place!

Let's Talk about Typecasting

Typecasting often refers to actors, but I think the idea fits how so many paralegals feel when they have been practicing for a while. When an actor is typecast, they are hired to fulfill one type of standard role—like the slapstick comic or the supportive best friend. Many actors throughout the years have walked away from their very popular, incredibly lucrative roles on sitcoms to avoid being typecast for future work. But typecasting is not just a public view of that actor's qualities and ability to fit perfectly into a certain role. It can, at times, also be an actor's security blanket. A role that they know they will land and succeed in every single time.

As a paralegal, I have had the great fortune of working in several different legal specialties. At the beginning of my career, I was employed by a law firm that had several niches under one roof. We had an amazing associate who handled criminal defense work. Our main partner handled civil litigation and family law, and the other partner handled severe personal injury cases. We had an of counsel, semi-retired attorney who specialized solely in immigration matters. He only handled the most difficult, complex immigration issues. Several other associates floated through the practice doing corporate setups, probate, wills and trusts, and other random domestic law tasks.

Needless to say, I had a lot of exposure to more than one specialty right away. Being a young, curious person, it was natural to me to watch this ebb and flow of counsel through the firm. The flow allowed me to learn new areas of law in a short time span. More importantly, it taught me that I needed to learn on my feet. That one of the best skills I could have was to keep learning and embracing the challenge of an unfamiliar task.

When I left the firm and helped to start a new firm with one of their former associates, we spent our initial years doing whatever we could to keep the lights on. A trust here, a divorce there, some civil litigation, corporate setups, lots of contracts, or a handful of traffic tickets. It was

during these years that my learning skills were as important as ever. Few things were familiar, and all of them were a challenge.

But as the firm grew and began to have a steady income stream, we finally began to practice the niche that was the apple of the founding attorney's eye—civil rights and employment discrimination cases. Again, my learning skills allowed me to help shape our new practice and become good at it.

As the years went on, I left the firm when my husband found a job in another state. I set out to find a new place for myself. I ended up in a plaintiffs' firm prosecuting products liability cases. My previous personal injury experience, partnered with my knowledge of federal and state laws, came in handy when learning yet another new specialty. Soon, I was versed in the language of mass torts—an area of law that I never even knew existed until that job.

It was through these years of trial-and-error that I was able to understand some of the key skills that a paralegal should always have—the ability to learn and the flexibility to rise to the challenge. These skills have allowed me so many options in my career—including the ability to help launch a national food safety law firm.

Many paralegals feel that they need to find their perfect niche right away. Maybe they have always wanted to be part of criminal matters, so working for the prosecutors' office sounds like the perfect fit. Maybe they have always felt strongly about environmental issues, so government work at the Environmental Protection Agency or a nonprofit is what would make them happy. Finding what fits can be frustrating, but also eye-opening.

I have had the opportunity to meet many paralegals in my life that have broken away from their typecast. One such paralegal I know formerly worked in bankruptcy. She told me in a conversation once that she did not hate what she did, but she felt like she wanted more. A few years into her practice, a contracts paralegal position opened up at a large telecommunications company in her city. She jumped on it in a heartbeat, eager to try something new. Not only is she extremely content in her work, she is also one of the most successful paralegals I know. Another paralegal I know did the same type of work I do, trials

and litigation. She was key in helping me see my potential and push harder to do the kind of work I loved to do—even though she did not love what we did. She recently called to tell me she was working in family law. This was such a drastic change for her! After almost two decades of work in one field, she stepped outside and tried something new. She had to learn a new system of law. She broke her typecast.

On the other side of the coin, I have met paralegals who were content to find their niche early in their careers. At my first firm, we had a domestic law paralegal who lived and breathed her job. She was a stubborn and difficult woman, but she was good at what she did. She approached child support advocacy as I approach trial preparation. She had a method and a goal. I remember sitting in her office one cold December morning watching her pound away at her keyboard. Her face was enraged. It was as if the keys allowed her to express that rage into the briefing that she was working on. I sat still, quietly handing her exhibits as she called them out to me. She was the beast behind the brief, fierce and full of reckoning. I do not recall what the motion was about or even if we won, but her passion for her specialty was evident. She was born to be a family law paralegal.

Also, not be forgotten, many paralegals juggle various specialties in one, like I did when I worked for a multidisciplinary solo practitioner.

The Types of Paralegals, in a Nutshell

This part of the chapter will give you a very brief glimpse into the many types of paralegals in the world of legal specialties and niches. Consider this a snack-sized overview. Rather than mention all the types, I give you an idea of the varieties of paralegals out there, in alphabetical order. In truth, one could write entire books on each one and probably still have more to tell.

Administrative Paralegals

Contrary to what one may first assume, administrative paralegals are not just those who are tasked with clerical matters. In fact, they are government paralegals; they deal with the administrative agencies of the United States government—namely the three branches of government (executive, judicial, and legislative). They are some of the key players in creating, sustaining, and enforcing administrative procedures. Administrative paralegals may also work in courthouses and federal buildings. Some may work under a judge or a magistrate, while others may work for a clerk's office and handle filings of court paperwork.

A good friend of mine works as a judicial executive assistant for a civil judge. We both worked at the same fast-paced law firm, and needless to say, she was not loving her job. This made sense. The position was pretty high-stress. It required long hours, and there were some rather difficult associates running things. So, she left. Now, years later, she works for the court system and loves her job. She works better hours, with less stress, and has a great relationship with her judge.

Bankruptcy Paralegals

As you can easily guess, these paralegals handle the nuances of the bankruptcy realm. What most people don't know is that bankruptcy is so big, it has its own courthouse in most jurisdictions. These paralegals handle everything from filing bankruptcies to working with trustees and courts to helping track past bankruptcies and submitting filings to them. They work as an intermediary between the client and the other parties involved. They may also help with dissolutions and the separation of debts and assets.

Civil Rights Paralegals

Did you know organizations like the ACLU and others championing for the equal rights of citizens have paralegals? They do! These paralegals can work in the nonprofit and law firm settings. They do various tasks similar to that of administrative, government, and litigations paralegals, and more. An understanding of federal laws and human rights is a must in this field. From claims of discrimination to human trafficking concerns, these paralegals handle it all for their clients and causes.

Criminal Law Paralegals

Criminal law paralegals fall into two main categories—prosecution and defense. The paralegals who prosecute criminal cases typically work for the courts, district attorneys, or an attorney general's office. Like administrative paralegals, criminal prosecution paralegals work for the government—be it federal, state, or municipal.

They are responsible for collaborating with the police and other agencies to gather evidence. They assist district attorneys in vetting, building, and creating cases involving crimes against other people, the city, the state, the county, or even the United States. They may conduct interviews, assist in drafting subpoenas or motions, help find additional evidence or witnesses, and in some cases, help negotiate plea bargains.

On the opposite side, one will find the defense paralegal. The criminal defense paralegal's main task is to get all of the facts possible. They work as liaisons between the courts, state agencies, clients, witnesses, and all other parties to ensure their clients get a fair shot. If their client is incarcerated, they are also responsible for communication with the client, and may even be among those to visit the client.

Like the paralegal who works for the prosecution, defense paralegals conduct interviews, draft legal pleadings, and may help negotiate plea bargains.

Corporate Paralegals

As you would assume, these paralegals work for companies and corporations. These are the paralegals that you may find working in a company's legal department or in a general counsel's office. They may also work in a hospital or even in a bank. Just as varied as business can be, so could the tasks of a corporate paralegal. From contracts to corporate transactions to court documents, corporate paralegals basically do it all for the corporation. Some specialize in human resources and employment law, while others handle subpoenas or work directly with the company's general counsel. Sometimes, these types of paralegals may also assist with compliance issues, attending board meetings, taking down minutes, and working with general counsel to seek out specialized attorneys for other company needs.

Corporate paralegals may also require a wider variety of experience in other areas of law. Depending on the company, paralegals may need experience in, for example, working on documents or understanding the procedures pertaining to immigration, finance, bankruptcy, litigation, securities, trademarks, and patents.

I am lucky to know a litigation-turned-bank paralegal who came into his profession after a string of law firm jobs. I don't know what made him finally move from the law firm to the corporate sector, but I can tell you that his talents were definitely better suited for a bank. An introvert, he excelled in caring for clients on a one-on-one basis over long periods of time. The firm life did not allow him this, as he had to be able to talk to many clients in short spurts throughout the day. By the end of the day, he was exhausted and burned out. The swanky bank

job has allowed him to do what he does best, care for a small group of people and give them his undivided attention. He is flourishing now.

Estate Planning and Probate Paralegals

These paralegals specialize in helping their attorneys prepare the necessary documents and filings to organize clients' assets, articulate health-care decisions, and in the event of death, help disseminate assets to heirs. In short, they are the wills and trusts heroes, ensuring that those we love do not need to worry (or have minimal worry) about our stuff when we are gone. They are also the ones who ensure that, in the event someone dies or becomes incapacitated in any way, there is legal and vetted paperwork ensuring a competent person has control over the deceased's affairs. I also like to think they are the ones who help families make the tough decisions: *Did Dad want to be buried or cremated? Should we keep the feeding tube in? Did Mom have a do-not-resuscitate wish?*

They may also handle nuances of this area, such as property liens, guardianships, name changes, and so on.

Family (Domestic) Law Paralegals

Family law (or domestic law as some jurisdictions call it) is a wide-encompassing area. Paralegals employed in this specialty may handle anything from divorces, legal separations, and prenuptial agreements to adoptions, custody matters, and everything in between. In my very humble opinion, this area is among the most emotional specialties I have had the honor to work in, albeit for only a short period of time. Family law paralegals are often the epitome of a support system, compassionately helping clients through the emotional legal proceeding for

which they have retained counsel. Like other paralegals, they create documents and investigate claims, but at a more personal, intimate level for their clients. This is a heavily client-centered specialty. Remember the beast behind the brief? This is her specialty.

Immigration Law Paralegals

In the United States, the immigration laws are strict and sometimes confusing. Immigration paralegals are well versed not only on the nooks and crannies of the law, but also on the necessary attention to detail required for particular petitions or filings. As filing for visas and green cards can be a lengthy process (from months to even years), immigration paralegals must be diligent in checking (and double-checking) the status of their clients' petitions. There are often small requests for documents or additional information needed, which can delay an approval. This specialty also handles the more delicate matters of political or religious asylum, deportation, relocation, and other specific petitions involving someone's citizenship or status.

Insurance Paralegals

It is not uncommon for an insurance company to employ insurance paralegals, and rightly so; paralegals are perfect for the specialty. From reading policies and contracts to dealing with auditors and courts for bonds, these paralegals are woven into many different sectors. They help defense counsels with injury claims, they help identify coverage for victims of natural disasters and personal injury accidents, and they even help courts get the information they need for bonds related to criminal or domestic matters.

Intellectual Property Paralegals

Patents, copyrights, trademarks, oh my. That is exactly what intellectual property (IP) paralegals handle. They assist their attorneys in research, drafting contracts or applications, checking previous filings, working with products and the clients who have created them, and so on. They work alongside their attorneys to define a client's brand, explain an invention, help craft that perfect corporate battle cry, protect their client's secrets and hard work, and much, much more.

Litigation Paralegals

These paralegals are not necessarily specialized, but rather can fit into several different specialties. Typically, these paralegals are brought in when a case has been filed with a court. A deep and comprehensive understanding of rules of procedure, courts, statutes, and doctrines, as well as where to find them all, is crucial for this often fast-paced part of law. It is typical for a litigation paralegal to spend hours poring over legal books and online research tools. They help their attorneys with all documents pertaining to the case—complaints, answers, discovery, motions, witness lists, exhibits, trial documents, and anything else the court may require.

Mass Tort Paralegals

Mass torts can encompass several different areas but are specific enough in their execution that they deserve their own moment.

What is a mass tort? Often confused with a class action, mass torts are where a group of people—from hundreds to thousands or

more—has been hurt by a product. Typically, a particular product, say a pharmaceutical drug, caused a particular injury in a large group of people. These cases are usually nationwide and are later consolidated into one or a few different jurisdictions.

It is up to the mass tort paralegal to keep these cases up-to-date and organized, not an easy task by any means. Mass tort paralegals assist their attorneys throughout the entire prelitigation and litigation process of a mass tort—from intake to settlement matrix. They obtain the necessary information from their clients, complete the court-ordered discovery forms, keep their large groups of clients in the know about the status of their cases, assist in research of the science needed to make their clients' claims, coordinate document production, and keep track of the never-ending stream of changes in the docket. Some may even assist counsel with comprehensive document review, which could mean helping read and mark millions upon millions of documents produced by a defendant. In rare cases, mass tort paralegals may attend and assist in bellwether trials.

Personal Injury or Tort Paralegal

When we hear about injuries caused by negligence, whether a person's or a company's, we think of personal injury or tort paralegals. Like their lawyers, these paralegals help to prove three main things:

1. Their client's injury and the extent of the injury
2. Their client's damages
3. The opposing party's negligence

Their job is to fully assess the situation their client is in and express it in an organized, concise fashion. They build their clients' cases by

obtaining documents, investigating claims, reviewing and researching documents and statements, researching and discussing legal matters with their attorneys, and much more. These paralegals also overlap with other types of paralegal specialties.

Prelitigation Paralegals

We see these paralegals in various types of businesses and commonly in the personal injury sector. These are the people who work up the case in an attempt to settle it with a defendant or an insurance company prior to filing a lawsuit. They are responsible for interviewing parties, gathering information and documents, and often drafting the demand letters for service on the opposing side of the conflict. It is important to note that some law firms have a paralegal do both the tasks of a prelitigation and litigation paralegal, while others separate the two.

Tax Paralegals

Tax paralegals are exactly what you think—they are responsible for taxes and all things related to them. With an understanding of the United States Tax Codes and accounting, they are chartered with the task of sifting through dense financial and legal information. It is not uncommon for these paralegals to assist in Internal Revenue Service audits or bankruptcy issues.

Trial Paralegals

These are the paralegals who are brought into a case that is going to trial. They could be the paralegals who have built the case from the ground up, the ones who handled the litigation life cycle, or the paralegals called in for the purposes of the trial only. Regardless of time brought in, their main focus remains the same—get the lawyers prepared to present their case to the court and the jury. Trial paralegals will often spend weeks focusing on the case specifics and the law related to just one case. It is their job to know the case inside and out, and every step that has been taken to get the case to trial. They organize and keep exhibits, help review documents being presented to the jury to ensure that any limited evidence is not included, attend court and take notes, coordinate witnesses, and more. It is not uncommon for them to coordinate meals or just make sure the expert witness has been picked up from the airport. In truth, trial paralegals truly do it all, oftentimes with little sleep in the process.

What Specialty or Niche Is Right for You?

As you can see, many different types of paralegals are responsible for many different kinds of jobs. If you think paralegalism is the profession for you, consider what you enjoy doing and what fits with your personality. Are you extroverted? Maybe a niche that requires a lot of client contact, like family law, is right for you. Do you enjoy numbers and finances? Maybe becoming an insurance or a tax paralegal is for you. Are you introverted and enjoy research over client conversation? Then certain administrative law positions may be perfect for you. Do you really enjoy reading and attending to intricate details? Maybe your inner contract paralegal is bursting to come through and the corporate world is for you.

Summary

For those coming into the profession and those who have been here for a while, there are still many opportunities and options. In this profession, I truly believe you can have a wonderful career doing what you love that fits into a framework that makes you happy. So, if you are stuck in a rut and want to try something new, you can! The paralegal profession affords you plenty of flexibility.