

## **SOUTH JERSEY PARALEGAL ASSOCIATION**

### **NJCP (New Jersey Certified Paralegal) Plan**

#### **1. PURPOSE:**

The South Jersey Paralegal Association (SJPA) recognizes that the use of qualified paralegals by lawyers, law firms, and judicial, educational, commercial and governmental entities is the best way to provide the community with cost effective legal services.

In recognition of the above, the SJPA offers a voluntary certification program to those individuals who choose to become a New Jersey Certified Paralegal (NJCP) providing paralegal employees and employers with a benchmark to determine qualified individuals who are competent to provide legal services under the supervision of an attorney.

#### **2. DEFINITIONS:**

As used in this Plan, unless the context otherwise requires:

- A. "Plan" shall mean the NJCP Plan;
- B. "Certification" shall mean authority granted by the SJPA under this Plan to practice as a NJCP, as evidenced by issuing of a credentialing document;
- C. "Certified Paralegal" shall mean a Paralegal who holds a valid Certification under the provisions of this Plan;
- D. "Code of Ethics" shall mean the rules of professional conduct for paralegals as adopted by the National Federation of Paralegal Association (NFPA);
- E. "Continuing Legal Education" (CLE) shall mean any legal or other educational activity or program which is designed to maintain and improve the professional competency of practicing Paralegals and is defined and approved by the SJPA and/or is an accredited CLE for attorneys;
- F. "Lawyer" or "Attorney" shall mean any person licensed or authorized to practice law under the laws of the State of New Jersey;
- G. "Legal Assistant" shall mean a person meeting the definition set forth herein for "Paralegal" as, historically, the terms paralegal and legal assistant have been used synonymously but two separate professions have emerged;
- H. "Paralegal" shall mean a person qualified through education, training or work experience to perform substantive legal work that requires knowledge of legal concepts and is customarily, but not exclusively, performed by a lawyer. This person may be retained or employed by a lawyer, law office, governmental agency or other entity or may be authorized by administrative, statutory or court authority to perform this work;
- I. "Paralegal Practice" shall mean offering to provide or providing any substantive legal service or work not prohibited by any State or Federal statute or Supreme Court Rule, the adequate performance of which requires Paralegal education, training, and experience in the application of special knowledge of legal concepts and skills to that legal service;
- J. "Paralegal School" shall mean an institution of post-secondary education or program either approved by the American Bar Association (ABA) or in substantial compliance with the ABA Guidelines for Paralegal Programs, that offers the minimum educational requirements necessary for qualification for certification as determined by the SJPA;
- K. "Person" shall mean any individual, public or private corporation, political subdivision, governmental agency, municipality, partnership, association, firm, trust, estate, or other entity whatsoever;

L. "South Jersey Paralegal Association" shall mean any committee or organization authorized by the governing Board of the SJPA to accept applications, and confer the NJCP designation;

M. "State" shall include any state, district, commonwealth, territory, insular possession, and any other area subject to the legislative authority of the United States of America; and

N. "Substantive" shall mean work requiring recognition, evaluation, organization, analysis, and communication of relevant facts and legal concepts.

### **3. RESTRICTION ON USE OF NAME OR TITLE:**

No person shall purport to be, assume the duties incident to, or use the title "NJCP" or "New Jersey Certified Paralegal" or any words or letters which indicate that the person is a NJCP unless the requirements of this Plan are met and such person currently holds a valid NJCP Certificate from the SJPA.

### **4. CRITERIA - EDUCATION AND EXPERIENCE**

An individual applying for the NJCP credential must be a voting member of the SJPA or another Paralegal Association<sup>‡</sup>, in good standing, and meet one of the following criteria:

A. A Bachelor's degree in paralegal studies from an accredited institution; and one (1) year of substantive paralegal experience;

B. A Bachelor's degree in any discipline from an accredited institution; a Certificate from an ABA approved paralegal program; and one (1) year of substantive paralegal experience;

C. A Bachelor's degree in any discipline from an accredited institution; and three (3) years of substantive paralegal experience;

D. An Associate's degree in paralegal studies; and two (2) years of substantive paralegal experience;

E. An Associate's degree in any discipline from an accredited institution; and four (4) years of substantive paralegal experience;<sup>‡</sup>

F. A Certificate from an ABA approved paralegal program; and three (3) years of substantive paralegal experience;

G. Designation of Registered Paralegal (RP), CORE Registered Paralegal (CRP), Certified Legal Assistant (CLA) or Certified Paralegal (CP) or other paralegal credential approved and recognized by the SJPA; and two (2) years of substantive paralegal experience.

### **5. APPLICATION AND TRANSCRIPT:**

Once an individual meets one of the above criteria, the following items must be submitted to the NJCP Certification Committee of the SJPA (Committee):

A. Verified completed application (Form A);

B. Certified copy of the individual's official transcript(s) from the educational institution(s) attended OR a letter from the educational institution(s) attended stating the dates of the individual's attendance and the date of the individual's graduation OR a copy of the diploma received by the individual from the educational institution(s) attended.

Any individual applying for the NJCP credential who are RPs, CRPs, CLAs or CPs, only need to submit a copy of their original certificate along with a copy of their current letter/certificate of good standing.

A copy of another Paralegal Association certificate of which you are a current member.

C. Declaration (Form B). This Declaration is to be completed by someone with whom the member works with or has worked with attesting to the individual's substantive paralegal work experience. The total number of attested years of substantive paralegal experience must meet the minimum number of years as provided for in the Subsection of the above Criteria under which the individual is applying and be documented in the Declaration.

It is recommended that the Declaration be completed by an attorney. However, in the event that your law firm, attorney and/or place of employment does not support the NJCP program, the Declaration may be completed by another attorney, supervisor or office manager who can attest as to your substantive paralegal work experience.

In the alternative, the member may be sponsored by a member, in good standing of SJPA who is a credentialed NJCP or another Paralegal Association who is credentialed within their state

D. A check or money order made payable to the South Jersey Paralegal Association representing the non-refundable application fee of \$50.00. Please note that there will be a \$25.00 fee charged for any check returned for insufficient funds.

## **6. ISSUANCE OF THE NJCP CREDENTIAL:**

Following submission of a verified application, payment of the processing fee and review and approval by the Committee, a certificate will be issued to the applicant indicating certification by SJPA based on the educational and experience criteria set forth in Section IV. Upon such certification, the applicant will be permitted to use the credential "NJCP" after their name.

## **7. CODE OF ETHICS:**

All NJCPs are bound by the NFPA's Code of Ethics. Any NJCP who violates any provision of the Code of Ethics, is convicted of a felony or crime of moral turpitude, or engages in the unauthorized practice of law as determined by the Committee, will have his/her credentials revoked. Any NJCP may appeal the Committee's revocation decision by sending a written submission to the SJPA Board of Directors (Board) within 30 days of receipt of the decision.

## **8. CERTIFICATION COMMITTEE:**

The Committee Chair (Chair) will be appointed by the President for a one year term (September through June). The Chair is responsible for selecting Committee members which would consist of three to five voting SJPA members, who are in good standing. The President then approves and appoints the Committee members for a term of one year (September through June).

The Chair reports directly to the President. The Chair is responsible for keeping the President and the Board updated on a regular basis as to the status of the NJCP program. The Chair will attend Board Meetings when feasible, but will not have voting privileges on the Board. In the event the Chair or a Committee member is unable to fulfill his/her term, the President will appoint a replacement expeditiously for the remainder of the term. The President has the discretion to appoint Board members to the Committee.

The Chair will receive applications and renewals and examine the qualifications of each applicant to determine whether the applicant meets the requirements of certification. The qualifications are then submitted to the Committee for their approval of the individual's qualifications. At the following Board meeting, the Chair is responsible for advising the Board of the qualifications for each applicant and/or renewal for a final approval.

If any applicant is denied certification by the Committee, the applicant may file an appeal to the Board within 30 days of the receipt of the decision. The Board will then make the final determination on the acceptance or rejection of NJCP certification.

**9. RENEWAL/EXPIRATION OF CREDENTIALS:**

In order to maintain certification, the Committee has set forth the following certification requirements. The failure of a NJCP to fulfill any requirement and/or documentation will result in revocation of the NJCP certification.

Two months (60 days) prior to the certification renewal date, the Committee Chair will notify the NJCP that their renewal is due. The NJCP will be provided with the deadline date by which all renewal information must be received by the Committee.

The SJPAs website, [www.sjparalegals.com](http://www.sjparalegals.com), will maintain a listing of current NJCP members and their renewal dates on the NJCP page. The information will also be listed regularly in the newsletter.

**10. RENEWAL PROCEDURES:**

At the time of renewal, the NJCP shall:

- A. Renew their certification every two years from the initial certification date;
- B. Complete twelve (12) hours of Continuing Legal Education (CLE) with two (2) of the twelve (12) hours being in Ethics. Credits must be for CLEs taken between the last certification date and the expiration date. Please note that one (1) CLE credit hour shall be computed by the following formula: the sum of the total minutes of actual instruction divided by 60 equal total credit hours (rounded to the nearest 1/10th of a credit hour).

Legal education shall be included in computing the total hours of actual instruction. All non-instructional portions of CLE programs (such as breaks and introductory remarks) will not be included in the credit hour computation;

- C. The NJCP shall submit to the Committee the completed renewal application, proof of completion of the requisite CLE hours, and the non-refundable two year renewal fee in the amount of \$25.00. The renewal documentation must be submitted at least 30 days prior to the renewal date. At the time of the renewal, the NJCP must be employed as a paralegal and a voting member of SJPAs in good standing.

**11. CONTINUING LEGAL EDUCATION (CLE):**

CLE credits on the following subject matters will be accepted:

- A. Substantive law issues;
- B. Specific nature of the paralegal profession such as enhancing computer skills or research techniques, increasing management skills, etc.

CLE credits may be obtained in person, on-line or via audio or video from the following sources:

- A. Courses/seminars offered by the American Bar Association or any State bar association;
- B. Courses/seminars offered by approved National or State law-related organizations (e.g., American Trial Lawyers Association, New Jersey Trial Lawyers Association, etc.);
- C. Courses/seminars offered by any national or state paralegal association;
- D. Courses/seminars offered by any accredited education institution or organization (i.e., Rutgers University, American Association for Paralegal Education, etc.);
- E. Courses/seminars offered by professional education providers (i.e., Institute for Paralegal Education, Mealey's (via Lexis/Nexis), West LegalEdcenter (via Thomson West), etc.);
- F. Courses/seminars offered by any federal/state regulatory or government authority;

- G. In-house courses/seminars/programs offered by the applicant's employer;
- H. Self-study programs provided by any of the entities listed in Subparts (A) through (G) above which are available on audio and/or videotape and have supporting written materials. A maximum of two (2) CLE credits may be obtained in this manner;
- I. Teaching, speaking or guest lecturing at a seminar or course on substantive law or issues relevant to employed paralegals and/or paralegal students. A maximum of two (2) CLE credits may be obtained in this manner. The number of CLE credits to be awarded in this category will be based upon the length and content of the presentation;
- J. Authoring an article or publication on substantive law relevant to employed paralegals and paralegal students. The article must be the SJPA's original work product. A maximum of one (1) CLE credit may be obtained in this manner. The number of CLE credits to be awarded in this category will be based upon the length and content of the article;
- K. Delivering substantive pro bono legal services pursuant to the NFPA Code of Ethics and Professional Responsibility. A maximum of two (2) CLE credits may be obtained in this manner. Only one (1) hour of CLE credit will be awarded for every three (3) hours of pro bono legal services performed. The pro bono legal services must be certified by an affidavit completed by the supervising attorney, program or agency coordinator or firm stating the number of hours of pro bono legal services performed and that said services were substantive in nature; and
- L. Attending a SJPA monthly lecture luncheon which has been designated by the SJPA Board of Directors as qualifying for NJCP CLE credit. One-half hour of SJPA CLE credit will be awarded for each designated luncheon attended. Attendees will be required to sign an attendance sheet at each designated luncheon. Attendees will receive a certificate attesting to their attendance at each designated luncheon.

**12. REVOCATION OF NJCP CREDENTIAL:**

The credentials of a NJCP may be revoked for the following reasons:

- A. The NJCP fails to maintain current membership in the SJPA;
- B. The NJCP violates NFPA's Model Code of Ethics and Professional Responsibility, is convicted of a felony or a crime of moral turpitude or engages in the unauthorized practice of law;
- C. The NJCP fails to complete the requisite number of CLE hours for renewal; and/or
- D. The NJCP provided false information on the application or renewal for the NJCP credential. An NJCP may appeal the Committee's revocation decision upon written request to the Board within 30 days of the receipt of the decision. Any NJCP who has had his/her NJCP credential revoked may not reapply for reinstatement for a period of one year from the date of the revocation.