

# **NALA Certified Paralegal**

## **Job Analysis Report**

**Released May 2012**

***Revised April 2013***

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## Executive Summary

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Since 1986, NALA has conducted nationwide utilization and compensation surveys. A portion of the survey looks at the duties and responsibilities of paralegals. Since 2000 the survey has included a section used by the Certifying Board which presents the major areas of the Certified Paralegal examination, and topics within those areas, and asks the respondent to rate the importance and frequency of each item.

In February of 2012, an updated survey was released to NALA members and non-members who are included on the NALA mailing list.

Results of the survey are utilized by the Certifying Board as part of the critical information needed to keep the certification program in pace with the paralegal career and ensure the program's ongoing work place relevance to those seeking to become certified.

The job analysis study included survey development, survey distribution, compilation and analysis of the survey results, and development of the examination specifications. The survey was distributed electronically. Two rating scales, importance and frequency, were used to evaluate the relevance of the content items with regard to on the job performance.

<b>Major Exam Sections</b>	<b>Practice Area Sections</b>
<p>Sections of the examination that are required by all examinees</p> <ul style="list-style-type: none"><li>• Communications</li><li>• Ethics</li><li>• Legal Research</li><li>• Judgment &amp; Analytical Ability</li><li>• American Legal System</li></ul>	<p>Examinees select four of the following practice area subjects. The test questions for the subjects are then combined with the American Legal System exam section. Questions are then compiled individually for each examinee into one section (<i>Referred to as the Substantive Law exam section</i>).</p> <ul style="list-style-type: none"><li>• Administrative Law</li><li>• Bankruptcy</li><li>• Business Organizations</li><li>• Civil Litigation</li><li>• Contracts</li><li>• Criminal</li><li>• Estates and Probate</li><li>• Family Law</li><li>• Real Estate</li></ul>

The Certifying Board analyzed and discussed the survey findings during its September 2012 and April 2013 meetings. Modifications to the examination specifications based on the findings of the survey were agreed upon and announced after the April 2013 meeting. The new specifications are effective with the September 2013 testing window.

## Introduction

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NALA is the leading paralegal association in the United States. Its mission is to provide continuing education and professional development programs to all paralegals. NALA provides current information about the profession, continuing education materials and seminars, networking opportunities, professional certification programs, occupational survey findings and manuals to help paralegals excel in the workplace. NALA is a non-profit organization, representing paralegals who are individual members or members of NALA affiliated associations.

NALA provides a Certified Paralegal<sup>1</sup> (CP) certification program that is administered by the NALA Certifying Board. The certification program was established in 1976 and has enabled the profession to develop a strong and responsive self-regulatory program offering a nationwide credential for paralegals. The Certifying Board is responsible for the content, standards, and administration of the CP program. The Certifying Board is composed of paralegals who have received an advanced paralegal certification designation, attorneys, and paralegal educators.

Since 1986, NALA has conducted nationwide utilization and compensation surveys. A portion of the survey looks at the duties and responsibilities of paralegals. Since 2000 the Certifying Board has utilized a section of the survey which presents the major areas of the Certified Paralegal examination, and topics within those areas, and asks the respondent to rate the importance and frequency of each item. The previous survey was conducted in 2010. Prior to 2000, the Certifying Board conducted validity studies separately.

In February of 2012, NALA released an updated survey to its members and non-members who are included on the association's mailing list. The instrument was developed using the knowledge and skills rated for the Communications, Ethics, Legal Research, Judgment & Analytical Ability, and American Legal System sections of the examination that were included on former surveys. These represent the major subjects of the Certified Paralegal examination. For the specific practice areas, a list of general knowledge and skills based on the examination outlines was developed. The Certifying Board reviewed the survey questions and approved of the content.

Results of the survey are utilized by the Certifying Board as part of the critical information needed to keep the certification program in pace with the paralegal career and ensure the program's ongoing work place relevance to those seeking to become certified. Survey respondents were reminded that the knowledge expected for Certified Paralegals is that of recent graduates of paralegal programs who have little or no practice experience. The job analysis study was conducted to:

- Validate, and update as needed, the examination content specifications
- Ensure that NALA has current information about the roles and responsibilities of paralegals

The survey consisted of three sections:

- 1) Demographic information
- 2) List of general skills and knowledge in the following categories:
  - Communications
  - Ethics
  - Legal research
  - Judgment and analytical ability
  - American legal system
- 3) List of skills and knowledge specific to the following practice areas:
  - Administrative law
  - Bankruptcy
  - Business organizations
  - Civil litigation
  - Contracts
  - Criminal law and procedure
  - Estate planning and probate
  - Family law
  - Real Estate

For ratings in the practice area section, respondents were instructed to complete the importance and frequency ratings only for those areas in which the respondent has worked or has knowledge.

## **Methodology**

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During February 2012, a NALA job analysis survey was distributed to 10,599 paralegals via Constant Contact. The initial survey was sent on February 14 with a reminder notice sent on February 20. These paralegals represent the NALA database of individuals working as paralegals who are NALA members, members of NALA affiliated paralegal associations and non-member Certified Paralegals. 1,484 paralegals responded, indicating a potential response rate of 14%. The precise response rate cannot be known as NALA is unable to determine how many emails (containing the survey link) were actually received and opened. It is likely a smaller number than 10,599 as some email addresses may have been incorrect, and other emails may have gone to spam. A typical response rate for surveys of this nature is 14%.

The Certifying Board and a psychometric consultant reviewed and approved the survey items prior to distribution.

In order to better understand the job analysis data, a factor analysis was conducted on both the importance and frequency ratings of the job analysis items comprising each job area (communications, ethics, etc.). For all job domains, separate factor analyses were conducted on importance ratings and on frequency ratings. A “factor” means that statistical analyses show that scores on the item loading on that factor are highly related – respondents who score high

on one item are likely to score high on the other. Thus, a factor can be considered a relatively homogenous content area with respect to the jobs of paralegals.

Survey respondents were asked to estimate the importance of a series of specific skills and knowledge to their work environment and how often each skill is used in their work activities. Respondents were asked to rate each survey item on the following scale:

<b>Importance</b>		<b>Frequency</b>	
1	Not related to my work	1	Not related to my work
2	Limited	2	Rarely
3	Helpful	3	Monthly
4	Essential	4	Weekly
		5	Daily

## Results

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### *Demographics*

Overall the respondents are representative of the population of working paralegals. 95% of the respondents are female. Responses were received from 49 states. 71% identified themselves as being members of NALA and 75% reported being certified paralegals. The average years of certification were 11 and average years of work experience were 15. 84.7% reported being currently employed as a paralegal.

<b>Highest Level of Education</b>	
High school diploma	14.4%
Associates degree	30.5%
Bachelors degree	44.6%
Masters degree	7.9%
Doctorate degree	<1%
No response	1.6%

<b>Paralegal Education Programs Completed</b>	
Undergraduate certificate program	15.0%
Post Baccalaureate certificate program	16.3%
Associate degree paralegal program	37.0%
Bachelor degree paralegal program	8.9%
Masters degree paralegal program	<1%
Other	10.3%
None	18.3%

## Exam Specifications

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The 2012 job analysis survey reflects the present architecture of the Certified Paralegal exam. The data from the 2012 survey serves to confirm the exam generally relates well to the workplace. The data analysis by the Certifying Board included:

- Review of mean importance/frequency ratings in comparison of former (2010) survey results to determine any trends or hints of changing tasks and duties.

- Review of the mean importance/frequency ratings for each item listed to see how they trend together, or if the ratings differ widely. This helps determine the proportion of questions for each subject on the exam.
- Comparison of mean importance/frequency ratings with the proportion of questions for each exam section to ensure the knowledge and skills tested reflect the importance/frequency ratings.
- Review of the importance/frequency ratings of skills/tasks that are not represented in the current content outlines for the exam sections.

In comparing the data with the number of questions for each subject, the Certifying Board seeks to ensure that the exam versions will reflect the importance/frequency ratings. For example, with an item that receives a high importance rating and a high frequency rating, there likely would be more questions covering this subject.

The Certifying Board welcomed the comments from the survey respondents. Many suggestions for exam sections, or subjects covered included state specific items which the Certifying Board cannot consider. Other subjects may not currently be considered to be required generally of paralegals in the workplace, however this list will be monitored closely by the board in subsequent surveys, and review of paralegal curriculum.

### **Additional Analysis and Exam Specifications Development**

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Upon review of the general findings of the job analysis, the Certifying Board determined additional study was needed before it had sufficient guidance to apply the findings to the current specifications of the Certified Paralegal examination. The additional analysis was conducted by PSI Psychometric Consulting Services, a leader in developing, delivering and maintaining licensure and certification testing services for credentialing organizations.

In the more detailed analysis of the data, responses from those who were currently not working as paralegals were excluded yielding a dataset of 1,258 respondents, sufficient response for the survey. Because respondents were asked to provide importance ratings of subjects on a scale of 1-4 and frequency ratings on a scale of 1-5 the scales were adjusted to a 1-5 scale for both. A different method for calculating this adjustment was utilized than what was considered in the initial summary.

The Certifying Board reviewed the percentage of respondents who reported that they use the knowledge or skill related to a specific examination subject in their day-to-day responsibilities. The survey presented each examination section and a list of tasks and duties within the subject matter.

### **Results**

The following table shows the mean importance rating, number of respondents completing the importance rating (*N*), mean frequency rating, number of respondents completing the frequency rating (*N*), and the percent of respondents who use the topics within each of the 14 content areas.

<b>Communications</b>	Mean Importance	N	Mean Frequency	N	% who use
Word Usage	3.9	1254	4.926	1252	100%
Grammar/Punctuation	3.9	1251	4.937	1251	100%
Writing	3.9	1251	4.923	1244	100%
Capitalization	3.8	1250	4.827	1248	100%
Nonverbal Communication	3.6	1255	4.570	1247	99%
Client Communication	3.7	1249	4.542	1249	99%
General Communication	3.7	1249	4.693	1246	100%
Interviewing	3.0	1252	3.334	1253	88%
<b>Ethics</b>	Mean Importance	N	Mean Frequency	N	% who use
Ethical Responsibilities	3.9	1244	4.7	1249	100%
Client Contact	3.5	1248	4.1	1248	96%
Professional Integrity	3.8	1241	4.5	1242	100%
Relationships	3.8	1246	4.8	1242	100%
Attorney Codes	3.4	1247	3.8	1247	97%
<b>Legal Research</b>	Mean Importance	N	Mean Frequency	N	% who use
Sources of law	3.2	1246	3.2	1245	93%
Research Skills	3.0	1239	3.0	1240	90%
Analysis of research	3.2	1245	3.4	1248	95%
<b>Judgment and Analytical Ability</b>	Mean Importance	N	Mean Frequency	N	% who use
Comprehension	3.8	1247	4.6	1243	99%
Application	3.6	1233	4.2	1235	97%
Evaluating	3.8	1242	4.5	1244	98%
Organizing	3.7	1236	4.4	1238	98%



<b>American Legal System</b>	Mean Importance	<i>N</i>	Mean Frequency	<i>N</i>	% who use
Court system	3.3	1246	3.6	1247	94%
Branches	2.9	1242	2.9	1243	91%
Legal Concepts	3.1	1237	3.2	1234	93%
Sources and classifications	3.1	1238	3.3	1241	94%
Judicial Remedies	3.0	1242	3.1	1248	92%
Terminology	3.6	1240	4.3	1245	98%
<b>Administrative Law</b>	Mean Importance	<i>N</i>	Mean Frequency	<i>N</i>	% who use
Admin process	2.5	1159	2.4	1154	71%
Agency	2.3	1157	2.2	1155	68%
Judicial	2.3	1144	2.2	1144	69%
Adjudication	2.3	1139	2.2	1140	67%
Uniform Admin	2.0	1138	1.9	1133	58%
General Knowledge	2.4	1148	2.4	1149	71%
<b>Bankruptcy</b>	Mean Importance	<i>N</i>	Mean Frequency	<i>N</i>	% who use
Bankruptcy estate	1.9	1158	1.8	1154	50%
Terminology	1.9	1158	1.9	1155	50%
Chapter 11	1.8	1148	1.7	1153	47%
General Knowledge	2.0	1151	1.9	1150	58%
<b>Business Organizations</b>	Mean Importance	<i>N</i>	Mean Frequency	<i>N</i>	% who use
Corporations	2.8	1193	2.9	1193	81%
Corporate financial	2.6	1185	2.7	1186	77%
Publicly-held	2.4	1189	2.4	1185	73%
General partnerships	2.5	1177	2.5	1174	77%
General knowledge	2.7	1180	2.8	1189	81%

<b>Civil Litigation</b>	Mean Importance	<i>N</i>	Mean Frequency	<i>N</i>	% who use
General procedures/rules	3.5	1215	4.0	1213	90%
Discovery	3.4	1207	3.8	1208	88%
Pleadings	3.4	1210	3.9	1207	90%
Terminology	3.5	1213	4.1	1206	92%
Selecting	3.2	1210	3.4	1209	87%
Trial and pretrial	3.3	1196	3.5	1203	86%
General knowledge	3.5	1200	4.0	1202	93%
<b>Contract</b>	Mean Importance	<i>N</i>	Mean Frequency	<i>N</i>	% who use
Contract defenses	2.5	1175	2.5	1172	72%
Formation	2.6	1172	2.6	1173	74%
Discharge	2.5	1172	2.4	1172	70%
Classifications	2.5	1162	2.4	1172	72%
General knowledge	2.7	1173	2.8	1174	77%
<b>Estates and Probate</b>	Mean Importance	<i>N</i>	Mean Frequency	<i>N</i>	% who use
Transfer taxes	1.7	1155	1.6	1157	38%
Settlement	1.9	1151	1.8	1161	44%
Wills	2.0	1148	1.9	1155	47%
Estate admin	1.9	1150	1.9	1152	46%
General knowledge	2.1	1146	2.1	1151	56%
<b>Criminal</b>	Mean Importance	<i>N</i>	Mean Frequency	<i>N</i>	% who use
Trial	1.7	1137	1.6	1134	34%
Exculpation	1.5	1127	1.4	1133	29%
Offenses	1.6	1133	1.5	1126	32%
Fourth Amendment	1.6	1134	1.5	1131	30%
Pretrial	1.7	1133	1.6	1132	33%
Sources	1.6	1131	1.5	1127	31%

Research	1.7	1126	1.7	1128	37%
General knowledge	1.9	1129	1.8	1126	44%

<b>Family Law</b>	Mean Importance	N	Mean Frequency	N	% who use
Divorce	1.8	1156	1.8	1154	38%
Child custody	1.8	1154	1.8	1154	37%
Marriage	1.8	1146	1.7	1148	36%
Contracts	1.8	1148	1.8	1142	39%
General knowledge	2.0	1143	1.9	1143	47%
<b>Real Estate</b>	Mean Importance	N	Mean Frequency	N	% who use
Sale of land	2.2	1168	2.1	1171	57%
Land financing	2.0	1161	1.9	1165	52%
Title assurance	2.1	1162	2.0	1165	53%
Public land use	1.9	1155	1.7	1161	48%
Freehold	1.8	1158	1.6	1160	43%
Non-freehold	1.7	1152	1.6	1156	42%
General knowledge	2.3	1156	2.3	1165	64%

The Certifying Board noted that the above results suggest that there is a basis for updating the examination specifications. Specifically, the data indicated the substantive law section may be reconstructed to consist of subjects which include knowledge and skills used by the majority of those in the career field.

The Certifying Board then examined the findings of the importance/frequency ratings for each item listed for each exam section. The Board determined that an importance rating of at least 2.5 indicated a topic is at least helpful and should be included on the examination. A frequency rating of at least 2.5 indicated that a topic is considered to be performed at least monthly and should be included on the examination. The data demonstrated that the knowledge and skills presented within the substantive law sections of Administrative Law, Bankruptcy, Criminal Law & Procedure, Estates and Probate, Family Law and Real Estate did not reach the threshold of at least a 2.5 importance rating, or at least a 2.5 frequency rating. In most cases, the rating was under 2 for a specific task.

## New Exam Specifications

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Based on analysis and review of the job analysis study the Certifying Board has determined new examination specifications for the Certified Paralegal Examination. These new specifications are effective with the September 2013 examination window.

The five sections of the Certified Paralegal examination are listed below. The subject and topics, with weights of the topics, are as follows:

<b>Communications</b>	<b>% of points</b>
Grammar, punctuation, and capitalization	19%
Word usage, spelling, and vocabulary	17%
Written correspondence and composition	17%
Verbal communication	17%
Nonverbal communication	16%
Client and witness interview preparation and techniques	13%
<b>Ethics</b>	<b>% of points</b>
Ethical responsibilities centering on performance of delegated work	21%
Paralegal professional responsibility	21%
Professional relationships	21%
Client and public contact	19%
Attorney code of ethics and discipline	17%
<b>Legal Research</b>	<b>% of points</b>
Sources of law	34%
Research skills	32%
Analysis of research	34%
<b>Substantive Law</b>	<b>% of points</b>
Legal terminology	7%
Court system	6%
Sources and classifications of law	6%
Branches of government	5%
Legal concepts and principles	5%
Remedies and dispute resolution	5%
Jurisdiction and venue	6%
Civil litigation process and rules	6%
Civil discovery	6%
Civil pleadings	6%
Civil trial and appellate process and rules	6%
Corporations	5%
Publicly-held corporations	4%
Partnerships and limited liability companies (LLCs)	4%

Other business entities	5%
Financial structure and management of business entities	5%
Contract classifications	4%
Contract formation	5%
Contract defenses	4%
Contract remedies	5%
<b>Judgment and Analytical Ability</b>	<b>% of points</b>
Identification of relevant facts and main issues	26%
Application of law to facts	24%
Analysis of issues and formation of conclusions	25%
Organization of information and clarity of expression	25%

The list of subjects and topics for all areas of the examination are not appreciably different from previous versions of the examination.

The significant change to the examination is the removal of the optional practice areas from the Substantive Law section. Beginning with the September 2013 examination, instead of the option of designating four practice areas to be tested, all examinees will be tested on the American Legal System, Civil Litigation, Business Organizations, and Contracts. The topics tested within these areas have not been modified appreciably from previous versions of the examination.

## Summary

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The modifications approved for the September 2013 examination are a continued effort to ensure the Certified Paralegal examination remains an accurate and relevant reflection of today's paralegals.

## Endnotes

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<sup>1</sup> The terms "legal assistant" and "paralegal" are synonymous terms. This is not a choice or opinion of NALA, but a fact. The terms are defined as such throughout the United States in state Supreme Court rules, statutes, ethical opinions, bar association guidelines and other similar documents. These are the same documents which provide recognition of the paralegal profession and encourage the use of paralegals in the delivery of legal services.

## **Attachment A – Job Analysis Committee**

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Many individuals participated in the job analysis process. The following professionals and members of the NALA Certifying Board contributed their time and expertise as subject matter experts.

NALA Executive Director Marge Dover, CAE and psychometric consultant Kurt Kraiger, Ph.D., and PSI Psychometric Consulting Services provided assistance in developing and reviewing the job analysis survey instrument, findings, and conclusions.

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