



Requirement for All Paralegals

IMPORTANT NOTE:

As a member of PASCCO, you subscribe to and are bound by:

CAPA'S Ethics Guidelines, and

NALA Code of Ethics and Professional Responsibility.

CAPA's Ethics Guidelines

- A paralegal shall maintain the highest standards of professional and ethical conduct.
- A paralegal shall participate in continuing education in order to ensure the highest degree of professional competence.
- A paralegal shall always disclose his/her status as a non-lawyer.
- A paralegal shall not establish an attorney-client relationship, set fees, sign documents which require an attorney's signature, or appear in court on behalf of a client, unless authorized by law.
- A paralegal shall preserve and protect the confidences, secrets, and information written or oral of a potential, current or prior client and/or attorney which have been disclosed to the paralegal.
- A paralegal shall preserve and protect as privileged all communications of the attorney and the client which have been disclosed to the paralegal.
- A paralegal shall avoid conflicts of interest and immediately disclose in writing any potential conflicts.
- A paralegal shall exercise great care and professional judgment in determining the extent to which a client may be assisted without requiring the presence of a licensed attorney.
- A paralegal may communicate legal advice authorized by the attorney to a client so long as they do not interpret or expand upon that advice.



PASCCO JOINS CAPA — 1983

NALA Code of Ethics and Professional Responsibility

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

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

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

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

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

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

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

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

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

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

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