

IN DEFENSE OF THE NATIONAL PARALEGAL ASSOCIATIONS

By: *Jon S. Montgomery, CAPA President
1997-1999*

As my career in the paralegal profession progressed and I became involved in leadership positions within the profession, I have been involved in many discussions about the value, or lack thereof, of the national paralegal associations. I have heard people talk about how much stronger the profession would be if the national associations merged to give paralegals one voice, or that local paralegal associations and/or individual paralegal do not derive any benefit from membership in the national associations. I have also heard many discussions about the relationship among leaders' of the national associations and that such leaders were pursuing their own personal agendas and were unable to work together. Most recently, Legal Assistant Today published an article in which the author suggested that the current leaders of the two national associations are pursuing their own personal agendas by endeavoring to set forth two different philosophies on the issue of regulation of the paralegal profession.

My position as CAPA President has put me in a unique position to attend meetings of both of the national paralegal associations as well as the meetings of many local paralegal associations, some of which are affiliated with a national association and some not. While I would be the first to acknowledge that there have been some strong disagreements between

individuals and the national associations in the past, I have come to the conclusion, after much thought and discussion, that having two strong national associations is a great benefit to everyone in the paralegal profession. I would like to call your attention to some of the achievements of the national associations and share some of my observations.

The national paralegal associations, formed by a small number of paralegals 25 years ago, now collectively represent approximately 40,000 paralegals nation wide and approximately 160 local paralegal associations. Since I became CAPA President in 1997, I have observed the leadership of both national associations nurturing and encouraging the members, officers and directors of the local associations. Both national associations provide numerous programs including member benefits which would otherwise be unavailable to some paralegals, leadership training involving association management and membership retention, mentoring of students and new paralegals,

educational seminars and workshops, career advancement, legislative tracking and comment, ethics guidelines or codes, paralegal utilization guidelines or codes, and certification/ regulatory programs. I strongly believe that these programs were developed by leaders who were caring and committed to the advancement of the paralegal profession. From my vantage point, the goals and programs of the national associations currently reflect the desires of their respective members at large rather than a small cadre of national leaders trying to push their own agendas. My conclusion

**Our nation was
founded on the
concept of freedom
of expression of
ideas and the
competition of such
ideas.**

is based on participation in focus groups and listening to discussions among ordinary members sharing their vision for the paralegal profession with their state and national association leaders. I have observed national leadership that listens to and responds to the views of their members, and I have heard individual members tell their national leaders to be true to their particular national association's philosophies and goals.

Of course, one must acknowledge that there are two divergent philosophies held by the two national associations, and these evolved' around how the profession should be regulated and who is a paralegal. We are in a unique profession with many different job duties and descriptions. I believe that the continued growth of our profession, the emergence of non-lawyer providers commonly known as legal technicians, and the ability of the legal community to provide cost effective access to the legal system for all Americans defies a singular regulatory scheme. What may work for some in our profession may stifle others. What may work in some states may be unworkable in others. For these reasons, the thoughts of both national associations strengthen rather than weaken our ability to be adaptable to the needs of both paralegals and legal consumers in different parts of the nation. We must also remember that we will fail if we give way to "group think" and suppress the discussion of different ideas and philosophies in favor of a singular answer to the many issues that face our young profession.

Our nation was founded on the concept of freedom of expression of ideas and the competition of such ideas. Just as the different political parties have proven to be a good balance of differing viewpoints, philosophies, and ideas leading ultimately to compromise on an issue-by-issue basis, the two national

associations are serving us well with their representation of differing viewpoints in responding to the national issues affecting our profession. For example, both national associations have made lengthy and thoughtful comment, representing the different philosophies of their association membership, regarding the proposed licensure program in the State of New Jersey. No doubt the ideas of both national associations will be taken into consideration and whatever is ultimately decided in the State of New Jersey or elsewhere will be strengthened by having the comment and input of both national associations.

Hopefully, when regulatory issues are discussed in the future in California, the national associations will look to CAPA to provide leadership, as CAPA's members include associations which are affiliated with both of the national associations.

It's a little known secret that some of the national leaders actually get along very well, in fact, the two national presidents were seen in cordial and friendly conversation at the last CAPA Conference. CAPA was proud to have them attend our state conference last year and hopes to have them both with us on the Queen Mary in June. In conclusion,

I believe that the current national paralegal leaders are representing the views of their respective membership and that the national associations offer great benefits to local associations and their individual members. Let's endeavor to keep the national discussion of the future of our profession in perspective: while we may disagree with the approach taken by one or the other of the national associations, let's not question the commitment of the national leaders to both advance the paralegal profession and help the individuals working in our profession.

