

NJCP (New Jersey Certified Paralegal) Plan

I. PURPOSE

South Jersey Paralegal Association 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, South Jersey Paralegal Association is offering a voluntary certification program to those individuals who choose to become a NJCP (New Jersey Certified Paralegal) 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.

II. 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 South Jersey Paralegal Association 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;

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 South Jersey Paralegal Association, and/or is accredited CLE for attorneys;

F. "Lawyer" or "Attorney" shall mean any person licensed or authorized to practice law under the laws of this state;

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 recently 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 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 South Jersey Paralegal Association;

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" (SJPA) shall mean any committee, board, or organization authorized by the governing board of South Jersey Paralegal 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.

III. RESTRICTION ON USE OF NAME OR TITLE

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

IV. CRITERIA – EDUCATION AND EXPERIENCE*

An individual applying for the NJCP credential must be a voting member of South Jersey Paralegal Association, in good standing, and meet one of the following criteria:

- A.** A Bachelor degree in paralegal studies from an accredited institution AND one (1) year of substantive paralegal experience;
- B.** A Bachelor degree in any discipline from an accredited institution AND a certificate from an American Bar Association approved paralegal program AND one (1) year of substantive paralegal experience;
- C.** A Bachelor degree in any discipline from an accredited institution AND three (3) years of substantive paralegal experience;
- D.** An Associate degree in paralegal studies AND two (2) years of substantive paralegal experience;
- E.** A Certificate from an American Bar Association approved paralegal program AND three (3) years of substantive paralegal experience;
- F.** Designation of PACE Registered Paralegal (RP), Certified Legal Assistant or Certified Paralegal (CLA or CP) or other paralegal credential approved and recognized by South Jersey Paralegal Association AND two (2) years of substantive paralegal experience.

V. APPLICATION AND TRANSCRIPT PROCESS

Once an individual meets one of the above criteria, the following items must be submitted to the NJCP Certification Committee of South Jersey Paralegal Association (“the Committee”):

- A.** Verified completed application (see Form A attached);
- 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. Registered Paralegals (RPs) and Certified Legal Assistants (CLAs) need only submit a copy of their original RP or CLA certificate and a copy of their current letter/certificate of good standing. Candidates who are applying for the NCJP credential under Section I.I. above need not provide documentation relating to educational institutions;
- C.** Declaration(s) from an attorney(s) with whom the individual works or has worked attesting to the individual’s substantive paralegal work experience (see Form B attached). 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

D. A non-refundable fee of \$35.00.

VI. ISSUANCE OF CREDENTIAL “NJCP”

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” (New Jersey Certified Paralegal).

VII. CODE OF ETHICS

Every NJCP will be bound by the National Federation of Paralegal Association’s Code of Ethics. Any NJCP who violates any provision of the Code of Ethics or who is convicted of a felony or crime of moral turpitude or engages in the unauthorized practice of law as determined by the Committee which is charged with reviewing these types of matters will have his/her credential revoked. An NJCP may appeal the Committee’s revocation decision by written request to the SJPA Board of Directors (the “Board”) within 30 days of receipt of the decision.

VIII. CERTIFICATION COMMITTEE

The Committee will consist of five (5) voting SJPA members appointed for a term of one year by the SJPA Board of Directors at the September Board meeting. The Committee Chair will be appointed by the Board and will report to the Vice President or other designated Director as determined by the Board. The Vice President or other designated director will advise the Committee as needed and will attend Committee meetings when necessary but will not have voting privileges on the Committee. In the event a Committee member or chair is unable to fulfill his/her term, the Board will appoint a replacement expeditiously. The Board has the discretion to appoint Board members to the Committee. Committee members shall not receive compensation for their services.

The Committee will examine the qualifications of each applicant for certification and will determine whether the applicant meets the requirements of certification. If any applicant is denied certification by the Committee, the applicant may file an appeal to the Board within 45 days of receipt of the denial. The Board shall make the final determination on the acceptance or rejection of NJCP certification.

IX. MAINTENANCE AND RENEWAL OF CERTIFICATION AND CONTINUING LEGAL EDUCATION REQUIREMENT (“CLE”)

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

Three (3) months prior to the certification renewal date, the Committee will notify the NJCP that renewal of certification is due and provide the deadline date by which all renewal information must be received by the Committee.

A NJCP shall:

A. Renew certification status every two years from the initial certification date;

B. Complete twelve (12) hours of CLE with two (2) of the twelve (12) hours being in ethics. One (1) CLE credit hour shall be computed by the following formula: Sum of the total minutes of actual instruction divided by 60 equals 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. Submit to the Committee the completed application for CLE credit, proof of completion of the requisite CLE hours, and the non-refundable two-year renewal fee in effect at the time of submission. The documentation must be submitted at least 60 days prior to the renewal date. At the time of renewal, a NJCP must be employed as a paralegal and must be a voting member of SJPA.

CLE credits on the following subject matter will be accepted:

1. Substantive law issues;
2. 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:

1. Courses/seminars offered by the American Bar Association or any state bar association;
2. Courses/seminars offered by approved national or state law-related organizations (e.g., American Trial Lawyers Association, New Jersey Trial Lawyers Association, etc.);
3. Courses/seminars offered by any national or state paralegal association;

4. Courses/seminars offered by any accredited education institution or organization (e.g., Rutgers University, American Association for Paralegal Education, etc.);
5. Courses/seminars offered by professional education providers (e.g., Institute for Paralegal Education, Mealey's (via Lexis/Nexis), West LegalEdcenter (via Thomson West), etc.);
6. Courses/seminars offered by any federal/state regulatory or government authority;
7. In-house courses/seminars/programs offered by the applicant's employer;
8. Self study programs provided by any of the entities listed in subparts (1) through (5) above which are available on audio and/or videotape and have supporting written materials. A maximum of two CLE credits may be obtained in this manner;
9. 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 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;
10. 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 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;
11. Delivering substantive pro bono legal services pursuant to the NFPA Code of Ethics and Professional Responsibility. A maximum of two CLE credits may be obtained in this manner. One hour of CLE credit will be awarded for every three 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
12. 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.

X. REVOCATION OF NJCP CREDENTIAL

A NJCP's credential may be revoked for the following reasons:

- A.** The NJCP fails to maintain membership in South Jersey Paralegal Association.
- 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 as referenced in Section IX above.
- D.** The NJCP provided false information on the application for the NJCP credential. A NJCP may appeal the Committee's revocation decision upon written request to the Board within 45 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 two years from the date of the revocation.