

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

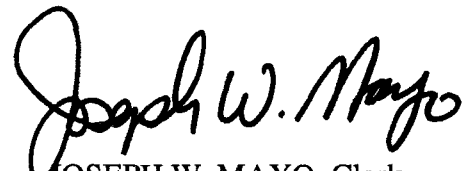
No. 724

H.P. 517

House of Representatives, January 26, 1999

An Act to Define Paralegals and Legal Assistants.

Reference to the Committee on Judiciary suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MADORE of Augusta.
Cosponsored by Senator KONTOS of Cumberland and
Representatives: JABAR of Waterville, NASS of Acton, POWERS of Rockport, SAVAGE of
Union, SCHNEIDER of Durham, Senator: BENOIT of Franklin.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 4 MRSA c. 18 is enacted to read:**

6 **CHAPTER 18**

8 **PARALEGALS AND LEGAL ASSISTANTS**

10 **§921. Definitions**

12 As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

14 1. Paralegal and legal assistant. "Paralegal" and "legal assistant" mean a person, qualified by education, training or work experience, who is employed or retained by an attorney, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which an attorney is responsible.

20 **§922. Restriction on use of titles**

22 1. Prohibition. A person may not use the title "paralegal" or "legal assistant" unless the person meets the definition in section 921, subsection 1.

26 2. Penalty. A person who violates subsection 1 commits a civil violation for which a forfeiture of not more than \$1000 may be adjudged.

32 **SUMMARY**

34 This bill protects consumers by requiring any person who uses the title "paralegal" or "legal assistant" to meet certain requirements. Those requirements are two-fold:

- 38 1. Qualified by education, training or work experience; and
- 40 2. Supervised by an attorney to the extent that the attorney is ultimately responsible for the work.

42 A person who claims to be a paralegal or a legal assistant and does not meet the statutory definition commits a civil violation for which a forfeiture of up to \$1000 may be adjudged.