

Report of 2006 NFPA Convention
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NFPA presently has 50 member associations totaling approximately 10,000 individual members. 43 associations were present at the convention. The Budget was approved and new officers and directors were elected.

The following resolutions were approved at the policy meeting:

RESOLUTION 06-01 The NFPA board shall create an ad hoc committee to investigate and review the development of the PACE Tier II exam.

RESOLUTION 06-02 - NFPA Adopted the following policy as to Regulation of the Paralegal Profession: The vote was 36 in favor, 5 opposed, 2 abstentions.

NOW THEREFORE BE IT RESOLVED, that Policy 01S-14 be amended as follows: that NFPA will actively promote regulation of the paralegal profession generally by providing information as to NFPA's preferred form of regulation of mandatory licensure and specialty licensure and its preference of a four-year degree being the requirement for entry into the paralegal profession, and

FURTHER RESOLVED, that NFPA and its board of directors shall not initiate the introduction of any proposal to regulate paralegals in any jurisdiction but may educate and inform others regarding the existence, size, strength of NFPA, its regulation policy, and its resources, including but not limited to, NFPA's paralegal definition, education policy, minimum standards for paralegal regulation, publications, models promulgated, PACE, etc.; and

FURTHER RESOLVED, that NFPA may support or oppose, as appropriate, any legislative, judicial, administrative, or other regulatory activity introduced, provided that form of regulation proposed in a state is supported or opposed, as appropriate, by a majority of the voting members of NFPA associations in that state, or in any jurisdiction where NFPA is not represented, and subject to the following:

- That NFPA can support any regulatory proposal only if it includes all of the minimum standards set forth herein; and
- That NFPA cannot support opposition to a regulatory proposal that is consistent with NFPA's minimum standards set forth herein, but may support a counter proposal supported by a majority of the member associations in the state that contains the required minimum standards, but is less restrictive than the original proposal; and

FURTHER RESOLVED, that NFPA shall not be permitted to support any regulatory proposal, even if asked by a majority of the member associations in that state, if such regulatory proposal does not have all of the following minimum standards:

- Formal educational requirements consistent with the requirements necessary to sit for PACE, as outlined in Policy 03-3, except that for those individuals that are seeking qualification with a two-year degree, the number of years of substantive paralegal experience that must accompany that two-year degree to be eligible to apply for regulation shall be left to the drafter of the regulation proposal, but shall be a minimum of two years of substantive paralegal experience, and while recognizing that a person who is not regulated could not perform substantive paralegal work, the proposal would need to include an "apprentice" type exception to allow that individual with a two-year degree to perform the requisite substantive paralegal work to become eligible to apply for regulation; and
- Passage of a proficiency based exam, as promulgated by a national paralegal organization, a state or commonwealth, an accredited educational institution, a national, state or local bar association or any additional testing to be reviewed or approved by NFPA; and

- Meet a standard of character and fitness consistent with what is required to sit for PACE and to maintain the RP credential; and
- Mandatory CLE requirement, although the specific number of hours to be earned shall be left to the determination of the drafters of the regulatory proposal; and
- A grandparenting provision allowing for individuals with a particular number of years of substantive paralegal experience to be eligible to apply for whatever form of regulation is being proposed without having to satisfy the formal education and proficiency based exam requirements. The specific number of years of substantive paralegal experience needed, and whether or not a sunset provision for eligibility under the grandparenting provision is to be included in the proposal, shall be left to the drafters of the proposal.

FURTHER RESOLVED, that the Model Act for Paralegal Licensure shall be amended to make that guidance document more user-friendly, streamlined and consistent with the minimum standards set forth herein; and

FURTHER RESOLVED, that a new Model Act shall be developed and presented for adoption at the next NFPA convention, said Model Act including the minimum standards as set forth herein, and the Model Act being developed generically to allow for easy modification for use for any form of regulation that may be proposed; and

FURTHER RESOLVED, that this Resolution amends all regulation policy.

Following the approval of this resolution, Chad said a few words and received a standing ovation by the delegates in recognition of his work with NFPA.

RESOLUTION 06-03

NOW, THEREFORE, BE IT RESOLVED, that the month of May will be officially designated as *pro bono* month; and

FURTHER RESOLVED, that NFPA's *Pro Bono* Coordinator and Assistant *Pro Bono* Coordinators will work with the local association's *Pro Bono* Coordinators to develop potential national projects in addition to providing ongoing support and resources for associations that are interested in taking advantage of this national opportunity to develop or enhance the association's current *pro bono* program.

RESOLUTION 06-04 By-law change regarding payment of dues:

ADDITION OF 4.1(B)(4):

The Board of Directors may, upon request of a voting member association, approve a full and/or partial waiver of membership dues based upon catastrophic events beyond the control of the voting member association for a specific period of time not to exceed one year. Such a request may only be approved for an amount equal to or less than the voting member association's prior year's dues. Voting member associations requesting this waiver must, within a reasonable time set by the Board of Directors, submit a letter detailing the reason for such request. Voting member associations whose dues have been waived still enjoy the same rights of voting member associations as described herein.

“Catastrophic Events” shall include, but not be limited to:

1. Events which occur beyond the control of the local association (i.e. acts of God and/or acts of terrorism), and which have a tremendous financial impact such that, if the association were forced to pay its NFPA dues in full, it would cause undue financial hardship and threaten the survival of the association;

If the Board of Directors finds that a voting member association warrants a full and/or partial waiver of dues for a period of time as a result of catastrophic events, said voting member association shall be considered as current on all dues for that period of time and shall be exempt from the provisions of Sections 4.1(B)(3), 4.2(A) and 4.2(B)

RESOLUTION 06-05

NOW THEREFORE BE IT RESOLVED, that NFPA adopts the following definition as meeting requirements for the appropriate Community Service programs:

“*Community Service*“ is defined as volunteer activities that would not meet the definition of *pro bono*, as adopted by the delegates in Resolution 99F-4 and is further defined as unpaid services that are volunteered by individuals to benefit an organization, community, or its institutions that are provided through the direction of a non-profit organization as defined under the Internal Revenue Code. The definition focuses on volunteer services that improve the quality of life for community residents, or to solve particular problems related to their needs.

NOW THEREFORE BE IT RESOLVED, that Canon 1.4 of the *Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement* is hereby amended to reflect NFPA commitment to the importance of Community Service to:

1.4 A PARALEGAL SHALL SERVE THE PUBLIC INTEREST BY CONTRIBUTING TO THE IMPROVEMENT OF THE LEGAL SYSTEM AND DELIVERY OF QUALITY LEGAL SERVICES, INCLUDING *PRO BONO PUBLICO* SERVICES AND COMMUNITY SERVICE.

BE IT FURTHER RESOLVED, that Ethical Consideration 1.4 of the *Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement* is hereby amended with following:

EC-1.4(e) A paralegal should aspire to contribute twenty-four (24) hours of Community Service on an annual basis. For purposes of this EC, “Community Service” shall be defined as: volunteer activities that have the effect of providing a valuable service or benefit to a local community, as distinguished from those services which fall within the traditional definition of *pro bono publico*. By way of example and not limitation, several examples of Community Service may include: working with Habitat for Humanity, volunteering with local women's shelters, volunteering for hurricane relief, serving meals at local soup kitchens or local homeless shelters.

RESOLUTION 06-06 - NFPA adopted a statement regarding Short term paralegal programs, the specific language of the statement to be finalized by the Board.

RESOLUTION 06-07 National Association of Paralegal Associations, Inc. ("NFPA") adopted the following diversity statement:

One of the greatest assets of the paralegal profession is the ethnic, cultural, and social diversity of its members. The National Federation of Paralegal Associations, Inc. ("NFPA") takes great pride in this diversity. The NFPA welcomes, respects and supports diversity in all its forms in its membership, its vendors, and its contractors, as well as with paralegal educators, the paralegal profession, legal profession, bar associations, and the courts.

At the **Region** meeting, the following ideas were proposed to develop Pro Bono activities: contact groups such as Neighborhood Legal Services, Legal Aid, AARP, "DOVE", develop a Utility Day and work with bar associations in their Pro Bono activities. Next region meeting was tentatively scheduled for Oct 14, 2006 in Albany.

Upcoming NFPA events:

PACE conference in Portland, Oregon – Sept 16-17, 2006
Leadership Conference in San Francisco, CA – Oct 6-7, 2006
Regulation Conference – February 2007 – location TBA
Technology Conference – Summer 2007 – location TBA
2007 Convention - Tampa, Florida (October)
2008 Convention - Rogers, Arkansas
2009 Convention – Portland, Oregon
2010 Convention – Philadelphia, PA