

"A master's degree is a recognized credential that the whole world knows and respects. Once you have earned a master's, you own it and no one can ever take that away from you."

Paralegal Master's Degree Programs

Only a handful of master's programs exist in the U.S. for paralegals who want to further their legal studies. None of these programs require experience in the paralegal field for admission and they all accept non-paralegals into their programs.

The George Washington University

The only university that awards a master's degree specifically for paralegal studies is The George Washington University in Washington D.C. The school offers an online program as well as traditional classroom study. To complete the program, students must take four core courses: American Jurisprudence, Legal Research and Writing, Litigation, and Corporations and Contract Law. From there, students take six legal specialty courses in government law, intellectual property, and international law, followed by independent research and a practicum, for a total of 32 credits.

This coursework looked a lot like what I studied to earn my paralegal certificate, so I asked program director Toni Marsh to explain the difference. "These courses are of a much higher level," Marsh explained. "They include much more theory and critical thinking in addition to the practical skills you find in certificate courses." Marsh added that the master's program is more self-directed, and the students do a lot of preparatory work on their own.

Typical students in the program "are already working as paralegals who want to advance within their own firms," Marsh said. These paralegals often receive more responsibilities and higher wages upon completion. Some of GW's students are working in other careers, but are bored or in dead-end jobs. Others are pursuing the degree because they have had a lifelong interest in the law. Once they complete their master's degree, many doors can open, Marsh said. "Our graduates can teach at the university level and four of my students have become professors. I have students who have gone to work for the CIA in the litigation division, for the World Bank in economics and policy, and

in the court system doing research and court administration." Another graduate of the program opened a legal translation company with offices in Paris and Singapore.

The George Washington University Masters in Paralegal Studies program costs approximately \$21,000 and takes 16 months to complete on campus or two years to complete online.

Texas State University-San Marcos

The Texas State University campus in San Marcos has offered a paralegal certificate program since 1976, and began offering a 36-unit Master of Arts degree in legal studies in 1997. The core classes are Legal Research, Legal Theories, Litigation, Legal Drafting, Advanced Legal Research, Advanced Litigation and an internship. Students must then choose an additional 15 hours of study from a selection of typical electives such as Administrative Law, Family Law, Business Organizations and Estates and Trusts. Specialization programs are offered in Alternative Dispute Resolution, Environmental Law and Legal Administration (both private and public sectors).

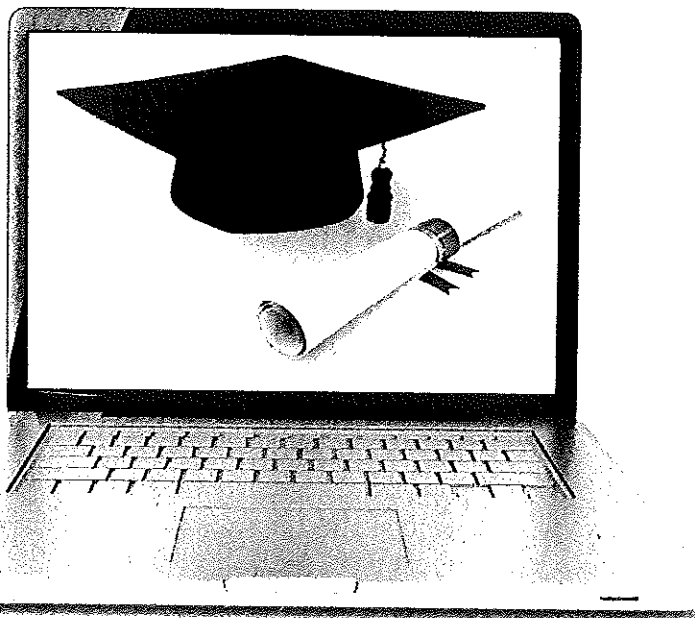
Director Lynn Crossett explained that the main difference between the certificate program and the master's program is the increased focus on advanced research,

writing and litigation skills. "At any given time we have about 100 students in the program," Crossett said. "There is some overlap so that students will meet their certificate requirements while in the M.A. program." According to Crossett, when the university first started the program, most of the students were working paralegals. "We still have a fair number, but now the majority of the students have no prior legal background." Crossett reported that most of the university's graduates find work with law firms and those who are already working in firms often use the degree to advance in their current positions.

The cost for the Texas State University-San Marcos Master of Legal Studies program is approximately \$12,000 and takes two years to complete. The program is ABA-approved.

Webster University

Webster University, in St. Louis, Missouri, also offers a Master of Arts in legal studies. The 39-unit program requires completion of the following courses: Introduction to Legal Studies, Jurisprudence, Ethics for the Legal Professional, Methods of Legal Research and Writing I and II, Anglo-American Legal History, American Constitutional Law, Civil Actions, | continued on page 21



Criminal Actions, Advanced Topics in Law and Computerized Legal Research. It offers fascinating electives such as International Criminal Law: a Human Rights Perspective; The Hague: Peacemaking Catalyst in International Conflict; and International Issues Related to Women and Children.

"All graduate courses are taught by attorneys, and expectations are very high," Director Robin Jefferson Higgins stated. "Legal research and writing are covered more heavily, and the students have to give oral arguments. They must complete a master's thesis at the end of the program."

Webster's master's candidates come from a variety of backgrounds. "One-third are working paralegals in law firms or corporations, most of whom are hoping for a promotion upon completion," Jefferson Higgins said. "They will either stay with their current firms or move to larger ones." One of her graduates now works in the ethics department of a law firm. Another works on the attorney disciplinary committee for the Missouri State Bar. The program can also be used as a stepping stone to even higher education. "One of my students went on to earn a Ph.D. in criminal justice," Jefferson Higgins said. "Others have used the program as a catalyst to law school."

The Webster University Master of Arts in Legal Studies program takes two years to complete and tuition costs approximately \$23,500.

Montclair State University

Within the Political Science and Law Department at Montclair State University in Montclair, New Jersey, is a master's degree program in Law and Governance, with concentrations in Governance, Compliance and Regulation; Intellectual Property; Conflict Management and Peace Studies; and Legal Management. All of the concentrations require the same three core courses: United States Legal System, Research Methods and Analysis, and Ethical and Professional Issues in the Legal Environment. From there they diverge.

Legal Management master's candidates take courses such as Dispute Resolution in the Workplace and Legal Information Management. The Intellectual Property concentration includes courses in Cyberlaw and Intellectual Property: Copyright, Licensing and Advertising. The Government, Compliance and Regulation concentration features courses in International Law and Transnational Legal Issues and Private Sector Compliance with Public Regulations. The Conflict Management and Peace Studies concentration

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includes courses in Negotiation Theory and Practice, Cross-Cultural Conflict Resolution and Human Rights Law. All four concentrations also require electives in such areas as Globalization and Security, and the International Political Economy.

"Ours is primarily a program in regulatory law," said Program Coordinator Jack Baldwin LeClair. "I have had many certified paralegals come through who wanted new careers." Graduates have found success in many fields. One of Montclair's graduates is now a vice president of human resources for a hospital corporation, managing the HR systems and compliance with employment laws. Another is a section chief for the New Jersey Drug Enforcement Agency. One current student is on the partnership track at KPMG, an international financial consulting company, managing internal compliance with government regulations and keeping track of all changes in the law. "Our average student is in his or her early 30s and often the current employer is paying for their education," LeClair said.

The Montclair State University master's program requires 36 units to graduate and takes three years to complete part-time and two years at a full-time load. Tuition cost is approximately \$21,600.

Marymount University

Like Texas State University-San Marcos, Marymount University's program also offers an ABA-approved paralegal certificate program which can lead into a master's degree program. The master's program at Marymount is in legal administration and, according to director Susanne Ninassi, is geared toward practicing paralegals who want to advance within the profession. "Our classes are heavy in business," explained Ninassi. "Most paralegals in this program have at least five years of experience." The 36 units include courses in Finance for Nonfinancial Managers, Foundations of Human Resource Management, Law Office Management and Law and the Business Environment. Graduates of this program can become paralegal managers or law firm managers.

"The program takes two to three years to complete," Ninassi said. "90% of our students are working full time and go at a slower pace." Because many of the

students plan to stay with their firms and move into a management position upon graduation, their employers often reimburse their tuition, which costs approximately \$27,700. Marymount University is located in Arlington, Virginia.

Auburn University at Montgomery

Auburn University, located in Montgomery, Alabama, offers three concentrations: Legal Studies, Criminal Justice and Homeland Security and Emergency Management. Students who complete this program receive a Master of Science in Justice and Public Safety.

Students can earn an ABA-approved paralegal certificate while working on their master's, which requires the completion of 30 units in Advanced Legal Research, Civil Litigation, Court & Judicial Administration, Research Methods, Advanced Legal Writing, Advanced Paralegal Studies and Legal Ethics, Computer Applications in the Law, Personnel Administration and Alternative Dispute Resolution, and a choice of electives.

According to Theresa Palfrey, director of paralegal studies at Auburn University at Montgomery, graduates of the Legal Studies program are employed in law firms, corporations and government jobs. "Montgomery is the state capitol of Alabama and there are a lot of careers in state government here," she said. With a full load of classes the program takes two years to complete.

Dr. Ralph Ioimo, an associate professor at Auburn Montgomery who heads up the Criminal Justice and Homeland Security programs explained that, "these tracks are designed for people who want to go into law enforcement, although there have been some paralegals who have gone through the Criminal Justice concentration." The Homeland Security track is only two years old as a full master's degree program and no paralegals have enrolled in it as of yet.

Tuition for the Master of Science in Justice & Public Safety is approximately \$9,200 for residents of Alabama.

The Value of a Master's Degree

All of these programs sound interesting and even make me want to return to school. However, what is the reception in the legal community to a paralegal with

a master's degree? Law firm managers and legal placement professionals agree that a paralegal with a master's degree is not common in the legal marketplace. However, there is no consensus as to whether a master's degree gives a paralegal a significant advantage.

Craig Hardesty, manager of paralegal services at King & Spaulding LLP in Atlanta, Georgia, manages a staff of 100 in the Atlanta and Charlotte offices. King & Spaulding requires paralegal candidates to have a bachelor's degree in any field, although a liberal arts background is preferred. "We want academic preparation, which develops critical thinking skills and organizational ability," Hardesty said. Although he holds a master's degree in public administration, Hardesty has never hired a paralegal with a master's degree. "We have a few people on staff who hold a master's degree in computer science, but no paralegals," Hardesty said. "Although I would never discourage someone from getting a higher education, I really don't know if it would make much of a difference in a hiring decision if a paralegal had a master's degree."

This sentiment was echoed by Sylvia Naim, legal staff manager at Meagher & Geer, P.L.L.P. in Minneapolis. The firm has another office in Scottsdale, Arizona. Naim manages the firm's legal staff which includes 55 paralegals, case assistants, secretaries, file clerks and receptionists. Meagher & Geer requires either a bachelor's degree in paralegal studies from an ABA-accredited school or a bachelor's degree in any field plus a paralegal certificate from an ABA-approved school. "Our clients were insisting on this level of education from our paralegals if they were going to be allowed to work on the files," said Naim. "We began to see a much higher caliber of candidates after we added this requirement."

Naim reports that none of the paralegals in the firm have a master's degree and admits that she has never seen one apply. "I don't believe that a master's degree would make a paralegal candidate more qualified," Naim said. "I don't think it would sway my decision in hiring." Ironically, Naim has considered obtaining a master's degree herself to open up doors in the management world. "Higher management levels in the corporate world require a master's degree,"

she said. "People need to think about the ultimate goal - would the degree prepare them to move up to a higher level position in the legal field?"

Jaime Lawrence, a paralegal search director with Special Counsel in Manhattan, places paralegals with law firms and corporate legal departments. The highest level of education she has ever seen employers request is a bachelor's degree, but she would not turn away a paralegal candidate with a master's, and certainly wouldn't consider it a hindrance such as creating an impression of being over-qualified.

Lawrence does not believe a J.D. would improve a paralegal's chance of landing a position over a master's degree. "Most large firms in New York won't hire a J.D. to do paralegal work," she explained. Lawrence confirmed that across the board, employers want to see at least a bachelor's degree. "They may tend to overlook it if someone has been working in the field for several years," she said. She noted that a few non-traditional openings have been filled by paralegal candidates including docket clerk, a compliance analyst for the banking industry and a pro-bono coordinator in a law firm. However, the most education desired for these posi-

tions was a B.A.

SunMi Kim, a regional vice president of Southern California Operations for Robert Half Legal also cited the scarcity of paralegals with master's degrees. "We don't often get paralegals for placement who have master's degrees," said Kim. Kim's clients - primarily law firms and corporations in traditional settings - are usually seeking paralegals with a B.A., an A.A. or a paralegal certificate, she explained.

"In a recent survey performed by Robert Half Legal, we asked legal employers what attributes made paralegals the most marketable," Kim said. "Sixty-six percent of those who responded chose practice area expertise. Only 7% said an associates or bachelor's degree made a paralegal most marketable." However, Kim absolutely believes that the future for paralegals with advanced education will be bright. "I have seen paralegals becoming more involved on a strategic level, doing the work of junior associates, such as trial preparation and legal research," she said.

Insight from Paralegal Master's Graduates

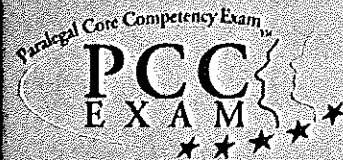
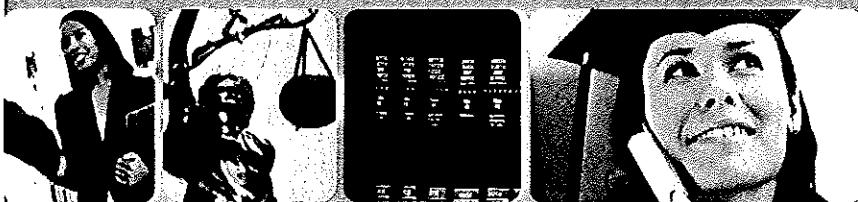
Although legal employers and recruit-

ers don't often see paralegals with master's degrees or require education beyond a bachelor's degree, graduates of legal master's programs generally believe that their higher education was worth the investment and opened doors to new opportunities.

Inspired by several friends and relatives who are attorneys, and eager for a lifetime career and secure job, Kristin Miller enrolled in the master's program in legal studies at Webster University. Miller had a B.A. in theater arts and no prior paralegal background. "I am very interested in politics and the law, and I thought it was a good choice," said Miller. She started her studies in the fall of 2010, attending school full time and working two jobs. "It was crazy, but I wanted to get it all done," she explained.

In May 2011, halfway through the program, Miller landed a job at Padberg, Corrigan & Appelbaum in St. Louis, Missouri, doing plaintiff's pharmaceutical litigation and class action work. She is convinced her master's candidacy helped her land the job. "My firm wanted someone with no experience to train from scratch. My degree showed them I was intelligent, inquisitive and willing to learn." Miller completed the program in December of 2011. Her master's | continued on page 31

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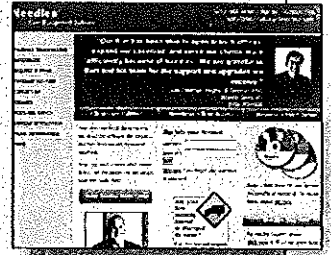
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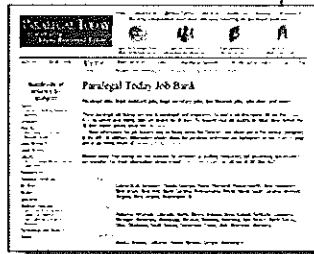
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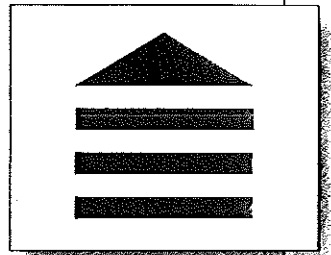


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thesis was on the sex trade in the United States and what can be done to stop it.

Sarah Coats also believes her master's degree gave her an advantage in the job market. She had been a paralegal for two years with a family law firm and wanted to advance further in her career than she believed her certificate could take her. "I didn't want to go to law school because I loved paralegal work," Coats said. "I feel that the paralegal profession needs to expand and I am in favor of eventual licensing, so I wanted to take advanced studies in that field." After discussing her options with a paralegal mentor, she selected The

George Washington University's Master's of Paralegal Studies program. At the time, she was working at a government contracts firm with little chance of advancement. Upon graduation, she applied for a position at the Children's Law Center (CLC) in Washington, D.C. as an appellate paralegal.

"My resume was one of the first that came in," Coats said. "My future manager saw my master's degree and used that as a yardstick for other applicants." Coats got the job in March 2012 as the only paralegal in a firm of approximately 50 attorneys. "CLC is under contract to handle guardian ad litem mat-

ters for abuse and neglect cases, and special education services for children, in addition to addressing housing and medical needs," she explained. "I also oversee the law library and pleadings bank, prepare research memos, cite check briefs, and manage the appellate team's electronic case files. I am also a part of the attorneys' strategy meetings, which I love." Coats is certain she would not have had the opportunity to work at the Center without the extra edge the master's degree gave her.

Toylaine Spencer also believes that her master's degree gave her an edge both in

the job market and in her present position. Spencer is a graduate of the Masters in Legal Studies program at Texas State University at San Marcos. After working several years as a paralegal in a law firm, Spencer returned to school to earn a bachelor's degree. She went straight into the graduate program, feeling that she needed a master's degree to be more competitive in the job market. She started the program in her early 30's with a three-month old baby. Spencer said it was the hardest thing she'd ever done, but the best career-wise. Graduate school was a great experience for her and she considers it her biggest accomplishment to date.

Spencer took one of the electives in mediation and her professor invited her to begin co-mediating matters with him. To date, Spencer has completed over 1,000 mediations. She has also served on the board of directors for the Texas Association of Mediators for the past five years. Spencer now works for a boutique firm in Houston focusing on environmental litigation and administrative law, and believes her master's degree made the difference. "At first I was afraid it over-educated me, but I have since learned that the better firms were open to applicants with higher degrees," she said. Spencer feels she is treated differently by the attorneys in her firm. "They ask for and listen to my opinions," she stated. "It has made the difference between doing what I call clerical paralegal work and more substantive work."

For Maria Bright, a master's degree brought challenge and new career opportunities. Bright served in the United States Army from 1998 to 2004. After completing her military obligation, she served as a tort claims legal technician for the Office of the Center Judge Advocate (OCJA) at Walter Reed Army Medical Center in Washington D.C. She worked on medical malpractice, personal injury and property damages claims while assigned to the OCJA. Bright wanted to pursue a paralegal degree so she could be promoted to paralegal specialist. She enrolled in The George Washington University's program in October 2009. Bright described the program as excellent, and would recommend it to anyone. "It really challenged me and built well upon my prior education and work skills," she reported.

While in school, Bright applied for the paralegal specialist internship at the

Armed Services Board of Contract Appeals (ASBCA) in Falls Church, Va. The ASBCA's primary function is to hear and decide post-award contract disputes between government contractors and the Department of Defense, NASA, the CIA and other entities with whom the ASBCA has entered into agreements to provide services. "There were 20 candidates for the position and I got the interview because of my training at George Washington," Bright said.

After graduation, Bright was offered a permanent position with the Board. However, she was then spotted and recruited by the FBI. In September 2011, Bright accepted a management and program analyst position with the FBI's Office of General Counsel. "I work on Foreign Intelligence Surveillance Act (FISA) related matters," said Bright. "I also prepare and present briefings to internal and external audiences, including executive level management. In addition, I provide and implement FISA training for the Bureau." Bright holds a top secret clearance and hopes to make her way up the ladder to Unit Chief, where she would be responsible for managing and training other paralegals and professional staff.

For Elona M. Jouben, a master's degree has opened doors. When she graduated from The George Washington University's Master of Professional Studies program in 2010, Elona M. Jouben was already well educated, holding an A.A. in general studies, a B.A. in political science and a B.A. in legal studies/pre-law. "I always expected to obtain a graduate degree, however my goals were vague and undefined," Jouben admitted. She had spent nine years as a paralegal working for a sole practitioner and several litigation firms in Florida.

"As an experienced paralegal with prior paralegal education, I found the George Washington program to be rigorous and challenging at an intermediate level between an undergraduate paralegal program and a law school education," Jouben said. Her master's thesis, *Compulsory Regulation of Florida Paralegals is Unnecessary*, was published in the "Empowered Paralegal Professional Anthology," edited by Robert E. Mongue (Carolina Academic Press, 2011). In 2010, Jouben was the successful candidate in a competitive applicant pool for her current position with the non-profit American Association of University Professors in Washington, D.C. "The master's degree was certainly a factor in being

offered my current position, especially due to the intense research and writing components of the program," she said. "The most gratifying change in my new position is the greater array of substantive legal research and writing assignments I'm given." Jouben believes she is a "good example of how an experienced, career-driven paralegal can benefit from an advanced degree and parlay that to achieve greater career goals."

Is a Master's Degree Worthwhile?

So, is a master's degree worthwhile for a paralegal? Clearly it depends on who you talk to. The program directors are full of stories of the successes of their graduates. Master's graduates are thrilled with their outcomes. Yet law firm managers and legal placement agencies often do not consider a master's degree any more or less important than a paralegal certificate or bachelor's degree. Toni Marsh of The George Washington University has one explanation. "The master's in paralegal studies is relatively new, so many paralegal managers and recruiters don't even really know what it is. Once they work with paralegals who hold masters, they tend to keep on hiring and recommending them."

Jouben points out that, from a practical standpoint, one must consider the job market. "Depending on where you live, you may not be able to earn more money with an advanced paralegal degree because the market simply won't provide such opportunities." Relocation to an area of the country that offers those opportunities is one answer. Another is finding a line of work where a graduate degree is welcome. "I always make it clear to prospective and current students that almost no one *needs* a master's degree to get a job as a paralegal, but there are plenty of reasons to still pursue a master's degree," Marsh said. One of those reasons is government work. "Many federal agencies view the master's as a substitute for professional experience, making the paralegal with a master's degree eligible for a higher GS level and higher pay," Marsh explained. "The CIA and FBI now hire paralegals with master's degrees even though it is not technically a requirement for employment."

Jack Baldwin LeClair of Montclair State University has a different take on the value of a master's degree. "If you want to move up, ditch the paralegal title and get additional education and training," he advises. There is some truth to this strategy, in that we can

allow a job description to define us so that we don't recognize the opportunities offered by a position with an unfamiliar title or nomenclature. Some of the graduates from these programs have remained law firm paralegals and thrived. But more paralegals have taken non-traditional paths to their dream positions. "A master's degree is a recognized credential that the whole world knows and respects," Marsh said. "Once you have earned a master's, you own it and no one can ever take that away from you."

Jouben offers this advice: "Graduate school is a huge commitment in terms of time, finances and energy. You should think long and hard about what you ultimately want to do with your career and then pursue a program that will help you attain those goals." □

Stacey Hunt, CLA, CAS is a graduate of the Fresno City College paralegal program and is a litigation paralegal with Duggan Smith & Heath, LLP in San Luis Obispo, California. She is the co-author of three books, includ-

ing her most recent, Evidence Management for the Paralegal (Cengage, 2007). Ms. Hunt taught legal writing and ethics for the Paralegal Studies Program at California Polytechnic State University, San Luis Obispo, and is a member of the Ethics Roundtable panel for Paralegal Today magazine. She is a past-president of the California Alliance of Paralegal Associations and the Central Coast Paralegal Association, and currently serves on the advisory committee for the paralegal program at Cuesta Community College.

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tains are best practices. For one, larger advances accrue larger fees and, thus, can further compound the problems discussed above. Additionally, settlement amounts are subject to a significant amount of variation, depending on the facts and circumstances of each case. Advances that are too large in comparison to the anticipated settlement value reduce the margin of error, and thus further increase the risk that a plaintiff may not be willing to settle, simply because he does not foresee receiving sufficient additional money from the case.

The size of any pre-settlement advance should also take into account any anticipated future medical care and associated expenses, as well as the existence, or likely existence, of other liens that will diminish the net proceeds to the plaintiff from a settlement or judgment. In an effort to reduce the risk of minimal net proceeds to the plaintiff, paralegals should work with funders who evaluate new advances in the context of these other real or potential liens and limit their advances to amounts that will not prejudice the plaintiff at resolution. In general, paralegals should look for responsible pre-settlement funding companies that request detailed lien information in order to avoid over-funding a case.

Financial Stability

Frequently, plaintiffs require multiple advances over time as their financial needs evolve or they incur additional expenses as a result of their injury or loss. In these instances, it may be economically better for the plaintiff to receive multiple smaller advances over a period of time, instead of a single large advance early on. Paralegals should look for funders who provide the flexibility and have the wherewithal to fund plaintiffs multiple times, rather than sending the plaintiff to a new funder who will charge additional fees on top of the ones already charged by the original funder.

Protection of Information

In the course of underwriting the legal case prior to making an advance, pre-settlement funders have access to a variety of records relating to the case. Paralegals should verify that the funder has a stated privacy policy, as well as the ability to adequately protect confidential information. Adequate protections should include secure e-mail systems, databases and data centers, as well as proper filing protocols.

As a rule of thumb, the larger the funding company, the more likely it has these procedural and technologic safeguards in place. Companies that work with large financial institutions also are generally under requirements from those institutions to submit to a variety of audits with respect to their underwriting and general business practices. Not all funders can live up to these higher standards and it is, therefore, important for paralegals to help plaintiffs choose a funder that represents the highest levels of integrity and professionalism.

Diversification

Since not every personal injury case has a positive outcome, pre-settlement funding companies often do not recover all or any part of their advance on a particular case. Because advances are non-recourse, the company providing the advance loses all of its investment when a case is lost. Similarly, if a case settles for significantly less than initially anticipated, the funding company may have to accept less than it originally advanced because there are insufficient funds to pay off all of the parties holding an interest in the proceeds of the case. Every funding company seeks to mitigate these losses, but the approaches taken can vary widely.

Again, working with larger companies may be beneficial. Specifically, larger companies are able to generate a higher volume of transactions and achieve a level of diversification that enables them to reduce the rate at which fees accrue,

as well as capping the total fee accrual. Larger funding companies are also better situated to work with plaintiffs when the result of the case is less than initially anticipated. On the other hand, smaller players with a less diversified portfolio may seek to make up for their losses by charging all plaintiffs much higher fees. Others will make initial advances and then seek to sell their deals to other funders. These approaches are often accompanied with lax underwriting standards that promise to save time and energy upfront, but end up handicapping the plaintiff and the attorney later in the process. As a result, smaller companies are less likely to be in a financial position in which to work with the plaintiff in the event that the case does not produce the economic result originally anticipated. It goes without saying, that none of these business practices are in the best interest of plaintiffs.

Proceed With Caution

Pre-settlement funding represents a valuable resource for plaintiffs. However, as the points above suggest, it must be accessed in a prudent manner. Since paralegals often manage and oversee these transactions, greater awareness and education are important tools to ensure that a standard of prudence is maintained throughout the process. □

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