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## The Changing Role of Legal Support Staff

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By Cynthia Thomas

About the Author

[Cynthia Thomas](#) is the founder of PLMC & Associates, a management consulting firm for small and midsize law firms, and is a member of the editorial board of *Law Practice* magazine. She was also a firm administrator for law firms in Los Angeles and San Francisco.

Recent advancements in technology used by law firms have blurred the lines between legal assistants/paralegals and legal secretaries. What were once two separate and distinct positions now overlap, and both jobs have changed significantly.



Traditionally, the terms *legal assistant* and *paralegal* were used interchangeably, with both referring to a nonlawyer legal support staff member who, after education and training, performed substantive legal tasks. Legal assistants generally have an advanced understanding of the law and legal proceedings, and routinely perform tasks such as researching cases, preparing discovery, interviewing people involved in cases, preparing case summaries and general case management. These tasks are generally performed independently and are billed to the client. A legal secretary, on the other hand, performs clerical and administrative tasks under the supervision of an attorney or a paralegal. Historically, the legal secretary's tasks commonly include word processing, dictation, handling incoming and outgoing mail, court filings and answering an attorney's telephone. These tasks are not billed to the client. While serving very different functions and having distinct job requirements and responsibilities, legal assistants/paralegals and legal secretaries work very closely together and often rely on each other to play

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instrumental roles in providing support to attorneys and to the practice of law.

## **WHAT'S HAPPENING TO LEGAL SECRETARIES?**

Times are changing. Goodbye typewriter; hello laptops, smartphones and tablets. The increased use of these electronic devices in law firms allows attorneys to work independently anywhere, any time. These devices, along with voice recognition software, are just a few of the technological advancements that have vastly affected legal secretaries' duties. More attorneys type their own correspondence and use email rather than having a secretary type a letter and send it by U.S. mail. Younger tech-savvy associates need no encouragement to adopt the new technology and, as new generations enter the workplace, it will become the norm. A decrease in traditional clerical duties is also causing a major change in the role of legal secretaries.

Some law firms, wanting to cut costs and increase efficiency, are eliminating legal support staff positions, including secretaries. Those remaining secretaries, who once supported one or two attorneys, are now often supporting five or more, especially when assigned to younger lawyers. In addition, some law firms have retitled "legal secretaries" as "legal assistants," not only so they can bill certain tasks of the secretary (such as drafting correspondence or organizing documents) to clients, but also to entice a new generation of entry-level college-degree workers who view a secretarial job as temporary or transitional.

## **LEGAL ASSISTANTS/PARALEGALS?**

Legal secretaries, however, are not the only legal support staff affected by computer technology. The role of the legal assistant/paralegal is changing as well. Legal assistants are now required to perform legal research—another activity that the firm can bill the client for doing. This requires that a legal assistant know precisely where to go for any necessary information. Twenty years ago, this would often require going into the law firm's law library and searching through books, spending countless (billable) hours reading and Shepardizing cases. Today most firms have discarded their books in favor of online services such as Westlaw and Lexis for legal research, not to mention the use of the Internet. This allows a legal assistant to perform the research in less than half the time, and with this faster technology the answer is often expected within minutes.

Another major change in the role of legal assistants involves the handling of discovery. Paralegals play a critical role in assisting attorneys with discovery. They help manage the discovery process, especially when large volumes of documents are

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involved. These documents are no longer housed in banker boxes with spreadsheets. Instead, through the use of computer technology, digital scanners and document management software, discovery documents are stored in electronic format. This use of document management software is another major technological change affecting legal support staff.

Therefore, the traditional role of a legal assistant has transformed into a more tech-savvy one, and paralegals are now training and working with IT personnel to assist in managing the discovery process. Thus, successful litigation legal assistants must now be familiar with document management software, and state and federal e-discovery rules, and they must be able to coordinate with outside litigation support vendors. As a result, the evolution of document management technology has created a new legal support staff member who merges the skills of a paralegal and a computer specialist into a legal technology specialist.

## **LEGAL TECHNOLOGY SPECIALISTS**

A legal technology specialist provides technical support for large e-discovery projects, document production and document reviews. This position did not exist 15 years ago. If a specialized database was needed, the firm's IT technician or department would assist a legal assistant in creating one. However, a legal technology specialist not only requires advanced knowledge of document management software programs and database manipulation, but also a thorough understanding of federal and state rules of civil procedure. Not to mention attention to detail, multitasking, analytical skills and great customer service skills. And let's not forget someone who works well with attorneys, legal assistants and legal secretaries.

## **MOVING FORWARD**

So what is the future role of legal secretaries and legal assistants? As technology continues to develop, legal and litigation support staff will continue to grow and remain to fill a vital function within law firms. For current legal secretaries and legal assistants to remain gainfully employed in the legal field today, they must first embrace technology as a survival tool and be willing to become proficient at the emerging software. Second, legal secretaries and legal assistants must adapt to change, demonstrate flexibility, be receptive to new projects and responsibilities, be willing to take on challenges to gain experience, and exhibit a desire for continuous learning and professional development. Third, to accommodate new technology and workflows, they will need to adjust their communications with lawyers so that more information can be shared regarding current projects and clients.

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Finally, they must be willing to work together and in teams.

Therefore, law firms need to begin to reclassify and create new job descriptions, duties and titles to better reflect the support staff's actual responsibilities. In addition, they must reorganize and restructure their organization to deliver the best client services. One possible new support structure is the development of client service teams. A client service team is based upon all members working collectively as a group. The team is comprised of partners, associates, paralegals and legal secretaries dedicated to performing the necessary tasks to provide quality services to clients and to ensure that the firm is running in a highly efficient and cost-effective manner. In a client service team concept, three roles dominate: (1) the client service coordinator, (2) the production coordinator, and (3) the production assistant. However, a team concept is only effective and successful if training programs assist all team members to retool and shift their thinking and approach to work in a more technologically advanced law firm world.

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