



# New Mexico State Personnel Office

2600 Cerrillos Road  
Santa Fe, New Mexico 87505-0127

## Classification Description

### PARALEGAL AND LEGAL ASSISTANTS

<u>Class Title</u>	<u>Class Code</u>	<u>Pay Band</u>	<u>Alt Pay Band*</u>
Paralegal and Legal Assistants-B	H2011B	50	
Paralegal and Legal Assistants-O	H2011O	55	
Paralegal and Legal Assistants-A	H2011A	60	

*\*In accordance with SPB Rule 1.7.4.10 NMAC, the assignment to alternative pay bands shall be reviewed annually to determine their appropriateness.*

#### Occupation Description

Assist lawyers by researching legal precedent, investigating facts or preparing legal documents. Conduct research to support a legal proceeding, to formulate a defense or to initiate legal action.

#### Nature of Work

Paralegals also known as legal assistants assume a growing range of tasks in legal offices which includes many of the same tasks as lawyers. Paralegal's help lawyers prepare for closings, hearings, trials, and corporate meetings. Paralegals investigate the facts of cases and ensure that all relevant information is considered. They also identify appropriate laws, judicial decisions, legal articles, and other materials that are relevant to assigned cases.

Paralegals analyze and organize information which is used to prepare written reports; attorneys use the reports in determining how cases should be handled. Should attorneys decide to file lawsuits on behalf of clients, paralegals help prepare the legal arguments, draft pleadings and motions to be filed with the court, obtain affidavits, and assist attorneys during trials. Paralegals also organize and track files of all important case documents and make them available and easily accessible to attorneys. In addition to this preparatory work, paralegals also perform a number of other vital functions which include, drafting contracts, mortgages, separation agreements, and trust instruments. Paralegals are explicitly prohibited from carrying out duties which are considered to be the practice of law, such as setting legal fees, giving legal advice, and presenting cases in court.

#### Distinguishing Characteristics of Levels

*Note: Examples of Work are intended to be cumulative for each progressively higher level of work. The omission of specific statements does not preclude management from assigning other duties which are reasonably within the scope of the duties.*

#### Basic

- Employees in this Role, under the guidance and direction of an attorney, assist in the preparation and maintenance of records and reports, releases, agreements, and other legal

## PARALEGAL AND LEGAL ASSISTANTS

instruments and assist in the interviewing of clients; convey information to clients regarding the legal process; draft legal instruments, correspondence, deeds, easements, releases and agreements; may assist attorney in the research and preparation of proposed legislation, correspondence, gathering of personal information and documents needed for case defense; assist in research and preparation of proposed legislation, briefing, preparation of opinions, legal research and routine files and pleadings; operate copy machines and assemble material in order.

### **Recommended Education and Experience for Full Performance**

Associates degree in Paralegal Studies and two (2) years work experience drafting and preparing legal correspondence, conducting legal research and maintaining a case management/tracking system

### **Minimum Qualifications**

High School diploma or GED and one (1) year of experience in office administration.

### **Operational**

- Employees in this Role coordinate administrative support activities and deal with the public, businesses and other organizations.
- Employees, under the guidance and direction of an attorney, develop reporting procedures, identify and describe legal problem areas and inform public as to legal avenues available; keep accurate files of correspondence and materials relating to cases; make investigations, procure evidence, take statements of witnesses and prepare affidavits; notarize documents and files in court record; develop and maintain case files; prepare drafts of proposed rules, regulations, and resolutions; determine eligibility for representation; search records and deeds; serve summonses, subpoenas, and papers.

### **Recommended Education and Experience for Full Performance**

Associates degree in Paralegal Studies and four (4) years of work experience drafting and preparing legal correspondence, conducting legal research and maintaining a case management/tracking system

### **Minimum Qualifications**

High School diploma or GED and two (2) years of work experience drafting and preparing legal correspondence, conducting legal research and maintaining a case management/tracking system.

### **Advanced**

- Employees in this Role deal with the public, businesses, and organizations; compile and prepare reports and consult with various organizations; develop and supervise execution of procedures; establish workflow and reporting processes; explain litigation procedures to defendants; ensure that employees are informed of changes in agency policies and procedures; under the guidance and direction of an attorney, interpret policy and procedures to members of the public, make investigations in difficult situations, perform legal research, including case law, statutes, and practices, and analyze and recommend courses of action; assist in serving subpoenas and interviewing of witnesses; oversee maintenance of reference files.

## PARALEGAL AND LEGAL ASSISTANTS

### Recommended Education and Experience for Full Performance

Bachelors Degree in Paralegal and two (2) years work experience drafting and preparing legal correspondence, conducting legal research and maintaining a case management/tracking system.

### Minimum Qualifications

Associate's Degree in Paralegal Studies and two (2) years of work experience drafting and preparing legal correspondence, conducting legal research and maintaining a case management/tracking system. Any combination of education from an accredited college or university in a related field and/or direct experience in this occupation totaling four (4) years may substitute for the required education and experience.

### Knowledge and Skills

*Note: This information has been produced by compiling information and documentation provided by O\*NET. O\*NET™ is a trademark of the U.S. Department of Labor, Employment and Training Administration.*

#### Knowledge

**English Language** — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar.

**Law and Government** — Knowledge of laws, legal codes, court procedures, precedents, government regulations, executive orders, agency rules, and the democratic political process.

**Clerical** — Knowledge of administrative and clerical procedures and systems such as word processing, managing files and records, stenography and transcription, designing forms, and other office procedures and terminology.

**Computers and Electronics** — Knowledge of circuit boards, processors, chips, electronic equipment, and computer hardware and software, including applications and programming.

**Customer and Personal Service** — Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.

#### Skills

**Reading Comprehension** — Understanding written sentences and paragraphs in work related documents.

**Active Listening** — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.

**Speaking** — Talking to others to convey information effectively.

**Writing** — Communicating effectively in writing as appropriate for the needs of the audience.

**Critical Thinking** — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.

**Time Management** — Managing one's own time and the time of others.

**Active Learning** — Understanding the implications of new information for both current and

## PARALEGAL AND LEGAL ASSISTANTS

future problem-solving and decision-making.

**Coordination** — Adjusting actions in relation to others' actions.

**Judgment and Decision Making** — Considering the relative costs and benefits of potential actions to choose the most appropriate one.

**Monitoring** — Monitoring/Assessing performance of yourself, other individuals, or organizations to make improvements or take corrective action.

**Statutory Requirements:** N/A

**Conditions of Employment:** Working Conditions for individual positions in this classification will vary based on each *agency's utilization, essential functions, and the recruitment needs* at the time a vacancy is posted. All requirements are subject to possible modification to reasonably accommodate individuals with disabilities.

**Default FLSA Status:** Non-Exempt. FLSA status may be determined to be different at the agency level based on the agency's utilization of the position.

**Bargaining Unit:** This position may be covered by a collective bargaining agreement and all terms/conditions of that agreement apply and must be adhered to.

**Established:** 07/07/2001      **Revised:** 9/20/2011

*\*Adapted from the United States Bureau of Labor Statistics and are intended to illustrate the typical education and experience required for this occupation.*

*Note: Classification description subject to change. Please refer to the SPO website [www.spo.state.nm.us](http://www.spo.state.nm.us) to ensure this represents the most current copy of the description.*