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OUTSOURCED SUPPORT

IN A GROWING GIG ECONOMY, FREELANCE PARALEGALS ARE GROWING IN POPULARITY

By Teri Saylor

Seven years ago, Natalie Porter wanted to supplement her income as a traditional paralegal in a law firm setting, so she started offering her services to other firms.

"At that time, it was a lot of one-off kind of projects like responding to discovery or tackling a large collection of financial records that had been neglected, and tasks like that," she said.

She didn't have a business name or a professional entity, but as her enterprise began to evolve and grow, more attorneys came on board as clients. When the time was right, the North Carolina certified paralegal with over 15 years of experience decided to quit her day job and go all in, naming her firm Dark Horse Paralegal Group, and offering fully remote, on-demand paralegal support to law firms.

It was March 2020, and the world was about to change with the emergence of COVID-19.

As the pandemic raged around the world, it shuttered businesses that had been serving customers for decades. Launching a new professional services firm could have spelled disaster.

For Porter, the timing was perfect.

"Like a lot of other people, I found myself experiencing some uncomfortable scenarios as far as employment and childcare was concerned," she said. "And I knew the whole world was making changes in how they were working, so it seemed like a good time to devote myself to this concept and see what happened."

Managing a remote work environment was not only practical for Porter, it was the right way to build a business model, given that the pandemic had forced most of the world's workforce to work at home. Even today, as employees emerge from their cocoons and venture back to their workplaces, Dark Horse is still working remotely.

"I do know other freelancers who offer onsite services, and it's something I've considered as an option with current and prospective team members and client attorneys, but everybody just seems to keep opting for remote work," Porter said.

For Dawn Draper, working remotely is the only option that works for her.

Draper, owner of The Virtual Paralegal, serves clients across the country from her home office in Traverse City, Michigan. She launched her virtual paralegal business in 2008, providing a variety of services ranging from administrative work to drafting Supreme Court briefs.

"It really depends on the client and what their needs are," she said. "For the most part, I provide services like drafting legal documents, and doing legal research and written discovery."

Hot topics for Draper right now are probate matters and personal injury work.

Freelance paralegals take on many tasks for attorneys, but the one thing they never do is give legal advice. In fact, they avoid contact with their contracted firm's clients, unless specifically instructed by the lawyer they are serving. The freelance paralegal's clients are the attorneys they work for.

The American Bar Association has published guidelines for the utilization of paralegal services, and most state bars have similar guidelines. This guidance is in place for both in-house and contract paralegals.

Experienced paralegals with state or national certifications are best equipped to venture out on their own as freelancers, said Lynn Bottenus, owner of PeeDee Paralegal Services in Darlington, South Carolina.

This serious moonlight

Real-world experience working with lawyers, drafting documents, and doing the necessary research is mandatory for many paralegals who have a goal of managing their own business. But even more important is knowing how to maintain a firewall with the public and avoid providing any sort of legal advice.

"Being disciplined about not giving advice that could be construed as legal advice is paramount," Bottenus said. "If you are just graduating from paralegal school and starting out as a freelance paralegal, it's probably going to be a lot more challenging."

Bottenus, who has 30 years of paralegal experience, launched PeeDee in 2000. Like Porter, her journey to starting her own business was an evolution.

She graduated from Appalachian State University in Boone with degrees in business administration and management. She also holds a certificate of completion from the National Center for Paralegal Training in Atlanta.

Divorced and living in Darlington, Bottenus was working as a paralegal in a law firm when other local lawyers began trying to recruit her to join their firms.

She hatched a plan and started moonlighting, working with attorneys out of her home. Eventually, she made her new business official, and naming it for the Pee Dee region of South Carolina, in the northeast quadrant of the state.

Bottenus works with trial attorneys in North Carolina and South Carolina, helping them with insurance defense litigation, medical malpractice, truck accident litigation, plaintiff personal injury, construction law, legal malpractice, LP gas litigation, real estate, and general litigation.

For Bottenus, a bonus is the opportunity to put her college degree to good use.

"To be a contract paralegal, you must be disciplined and decisive, and you have to be self-driven, because you must be able to get the work done on your own," she said. "This is perfect for me because I get to do accounting, finance, marketing, and sometimes "human resources management, and all the things it takes to run a business."

Dawn Draper

Lynn Bottenus

Natalie Porter

Freelance paralegals are classified as independent contractors in the eyes of the IRS when it comes to paying taxes. This means they are responsible for handling their tax obligations on their own, including filing their 1099-MISC returns, detailing the total amount they billed clients for service, reporting all earnings to federal, state, and local government and paying all appropriate taxes.

Freelancers should track their work-related expenses closely for tax write-off purposes. Everything from cell phone bills to equipment and home office space may be deducted.

Really floats her boat

Draper's services range from administrative support to drafting Supreme Court briefs.

"For the most part, I provide services like drafting legal documents, legal research and rating, discovery, e-filing, and pretty much anything else a law firm uses a paralegal for," she said.

In 2014, Draper published a book titled How to Become a Successful Virtual Paralegal: Tips and tricks to get your virtual paralegal business started.

While most freelance paralegals appreciate the flexibility that blends living, working and playing, Draper takes full advantage of this perk, working from anywhere and everywhere she wants to be, even aboard her family's boat.

"I work from my boat in the summer," she said. "My husband and I like to go camping too, and I am able to just work from wherever I am."

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From the attorney's perspective, contracting with freelance paralegals provides them with some flexibility too. It also helps them scale their practice, particularly when they are just starting out, Porter said.

With a menu of services that includes practice management and consulting, Porter's calling card is the ability to help attorneys maximize their time and focus, worry less, and keep more of their earnings.

"We let them know that by delegating certain tasks, they can focus on the clients and cases that need them the most," she said. "We help them keep their practice running smoothly by working with the employees that they already have on staff or by putting processes and systems in place so they can grow to the point where they can hire more staff."

For Porter, a typical day in the office is a lot like her career as an in-house paralegal.

"I start out with a grand plan about what I'm going to do for the day," she said. "And then, bam, there's a telephone call that turns the day on its head and I end up spending all day putting out fires or addressing some kind of urgent need."

She adds that the biggest difference between the jobs of contract paralegals and in-house staff is the variety of client attorneys they serve, all at the same time.

"So, there's often a lot of scrambling to try to keep everybody happy, and we try to do a good job in helping folks manage their expectations as well, because you know not everything is truly an emergency."

Now is an exciting time to be a contract paralegal, Porter says.

"I think that there is a lot more interest in freelancing from paralegals themselves and also from attorneys who are looking for ways where they can provide great service to their clients and still run their practices efficiently and effectively, but without maybe some of the costs and overhead associated with traditional employees."