



The State Bar of California

Task Force on Access Through of Legal Services – Subcommittee on Unauthorized Practice of Law and Artificial Intelligence

Agenda Item B.7.
06-07-19 Meeting
Open Session

To: Subcommittee on Unauthorized Practice of Law and Artificial Intelligence
From: Wendy Chang
Date: June 5, 2019
Re: B.7. Recommendation: Scaling of fees based on non-profit status, revenues, and/or profits

Recommendation not yet voted on by the Task Force: Adopt an application fee structure that scales fees based on factors such as non-profit status, revenues/profits, and/or how much the product addresses the access to justice gap.

How the Recommendation Relates to the Charter: This recommendation addresses clause 2 of Task 1 of the Charter.

- 1) Review the current consumer protection purposes of the prohibitions against unauthorized practice of law (UPL) as well as the impact of those prohibitions on access to legal services with the goal of identifying potential changes that might increase access while also protecting the public. . . .

Pros: This approach allows the program to be equally accessible to all participants. Allowing scaled fees based upon how much the product addresses the access to justice gap incentivizes innovation that specifically addresses the need, and provides a potential alternative avenue for large revenue/profit companies who may balk at the scaled fee structure.

Cons: Disparity in the fee structure may lead to charges of unfairness by some on the higher end of the fee spectrum.