

From: NOBCmembers [mailto:nobcmembers-bounces+randall.difuntorum=calbar.ca.gov@lists.nobclists.org] **On Behalf Of** Ellis, Mia via NOBCmembers
Sent: Friday, September 13, 2019 1:45 PM
To: 'nobcmembers@lists.nobclists.org'; 'NOBCmembers@lists.nobclists.org'
Subject: [NOBCmembers] [NOBC members] From California: Request for Information from Each State

NOBC Members,

California requests assistance in obtaining information from each state concerning:

1) Issue of nonlawyer limited practice:

- a. Whether a state presently has a form of a limited license legal technician program (a.k.a., LLLT program).
- b. If a state does not, then whether the state is studying or planning to implement such a program in the future.

2) Issue of nonlawyer ownership:

- a. Whether a state presently permits any form of nonlawyer ownership of a law practice (including nonlawyer ownership in an "alternative business structure;" or a "multi-disciplinary practice" context).
- b. If a state does not, then whether the state is studying or planning to implement changes in the law to allow such nonlawyer ownership in the future.

A simple "Yes" or "No" to each issue would be a helpful reply but, if the reply is "Yes," then links with additional information would be especially useful.

Ideally, it would be helpful to obtain responses by Tuesday (9/17), but we would be very appreciative of all input provided, even after that date.

We would also be willing to share the data collected with any interested states.

All information received is appreciated.

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Adoption of Limited License Legal Technicians/Court Navigators in U.S. Jurisdictions

States/Jurisdiction	Adopted	Considering/Studying	Considered but Not Adopted	Have Not Studied and Not Adopted
TOTALS	8	6	3	38
Alabama				x
Alaska				X
Arizona	X **	X		
Arkansas				X
Colorado	X **	X		
Connecticut				X
Delaware				X
District of Columbia				X
Florida		X		
Georgia				X
Hawaii	X **			
Idaho				X
Illinois			X	
Indiana				X
Iowa				X
Kansas				X
Kentucky				X
Louisiana				X
Maine				X
Maryland	X **			X
Massachusetts	X *			X
Michigan				X
Minnesota		X		
Mississippi				X
Missouri				X
Montana			X	
Nebraska				X
Nevada				X
New Hampshire				X
New Jersey				X
New Mexico		X		
New York	X *			
North Carolina				X
North Dakota				X
Ohio	X **			X
Oklahoma				X
Oregon		X		
Pennsylvania				X
Rhode Island				X
South Carolina				X
South Dakota				X

*Implemented court navigator program.

** Implemented volunteer or pilot court navigator program.

Adoption of Limited License Legal Technicians/Court Navigators in U.S. Jurisdictions

States/Jurisdiction	Adopted	Considering/Studying	Considered but Not Adopted	Have Not Studied and Not Adopted
Tennessee				X
Texas				X
Utah	X			
Vermont				X
Virginia			X	
Washington	X			
West Virginia				X
Wisconsin				X
Wyoming				X

*Implemented court navigator program.

** Implemented volunteer or pilot court navigator program.

Paraprofessional (Limited License Legal Technician) Regulations in Other U.S. Jurisdictions

	Washington Limited License Legal Technician	Utah Licensed Paralegal Practitioners
Qualifications & Training	<ol style="list-style-type: none"> 1. Associated degree or higher, <ul style="list-style-type: none"> • 45 hours of paralegal studies • 15 hours of family-law-specific course work from a law school, ABA approved paralegal program, or LLLT Board • 3,000 hours of law-related work experienced supervised by an attorney • Background check 2. Certified paralegal can apply for waiver of paralegal studies and law-related work experience if has 10 years of substantive law-related experience: <ul style="list-style-type: none"> • 15 hours of family-law-specific course work from a law school, ABA approved paralegal program, or LLLT Board • Background check. 	<ol style="list-style-type: none"> 1. One of the following: <ul style="list-style-type: none"> • A degree in law from an accredited law school; • An Associate degree in paralegal studies from an accredited school; • A Bachelor's degree in paralegal studies from an accredited school; or • A Bachelor's degree in any subject from an accredited school, plus a paralegal certificate, or 15 hours of paralegal studies from an accredited school. 2. Complete 1500 hours of substantive law-related experience within the 3 years prior to the application. Hours must include: <ul style="list-style-type: none"> • 500 hours of substantive law-related experience in family law if the applicant wants to practice in that are; or • 100 hours of substantive law related experience in debt collection or forcible entry and detainer if the applicant wants to be licensed in those areas
Licensing Exams	<ul style="list-style-type: none"> • Pass three separate exams <ul style="list-style-type: none"> • Paralegal Core Competency • LLLT Practice Area Exam • Professional Responsibility Exam 	<ul style="list-style-type: none"> • Pass a professional ethics examination • Pass a Licensed Paralegal Practitioner Examination for each practice area for which the applicant seeks to practice

Paraprofessional (Limited License Legal Technician) Regulations in Other U.S. Jurisdictions

	Washington Limited License Legal Technician	Utah Licensed Paralegal Practitioners
		<ul style="list-style-type: none"> • Have one of the following certifications be eligible: <ul style="list-style-type: none"> • Certified Paralegal (CP) or Certified Legal Assistant (CLA) by the National Association of Legal Assistants (NALA); • Professional Paralegal (PP) Certification from the National Association of Legal Professionals (NALS); or • CORE Registered Paralegal (CRP) designation from the National Federation of Paralegal Associations (NFPA).
Malpractice Insurance or Bonding	<ul style="list-style-type: none"> • Malpractice insurance, comply with rules of professional conduct, and 	
CLE	<ul style="list-style-type: none"> • 30 hours MCLE every 3 years, including 15 law/legal procedure and 6 ethics credits 	The rules require 12 hours of continuing education every two years which must include three hours of ethics and professionalism. The licensed paralegal practitioner is required to use the same certification process used by attorneys at the end of the two-year cycle to certify they have attended the appropriate CLE courses.
Type of Licensing	<ul style="list-style-type: none"> • License with WA Supreme Court 	<ul style="list-style-type: none"> • License with Utah State Bar
Regulatory body	<ul style="list-style-type: none"> • The Washington State Bar Association oversees the regulation, licensure and discipline of LLLTs. 	the Utah State Bar will administer all aspects of the new profession, including admissions, license renewal, and monitoring compliance with continuing legal education requirements.
Substantive Area(s) of Practice	<ul style="list-style-type: none"> • Family law 	<ul style="list-style-type: none"> • Landlord/Tenant Law • Family Law • Debt Collection

Paraprofessional (Limited License Legal Technician) Regulations in Other U.S. Jurisdictions

	Washington Limited License Legal Technician	Utah Licensed Paralegal Practitioners
Activities Allowed	<ul style="list-style-type: none"> • Provide limited legal services in family law • Select, complete, file and serve approved family law forms • Explain relevance of facts, inform clients about court procedures, review and explain documents from opposing parties, perform legal research. 	<ul style="list-style-type: none"> • Specific family law matters, such as temporary separation, divorce, parentage, cohabitant abuse, civil stalking, custody and support, or name change; • Forcible entry and detainer; and • Debt collection matters in which the dollar amount at issue does not exceed the statutory limit for small claims cases. • Enter into a contractual relationship with a natural person (LPPs cannot represent corporations); • Interview a client to determine the client's needs and goals; • Assist a client with completing approved forms and obtaining documents to support those forms; • Review documents of another party and explain those documents to a client; • Inform, counsel, assist and advocate for a client in a mediated negotiation; • Complete a settlement agreement, sign the form and serve the written settlement agreement; • Communicate with another party or the party's representative regarding the relevant forms and matters; and • Explain to a client the court's order and how it affects the client's rights and obligations.
Activities Not Allowed	<ul style="list-style-type: none"> • May not draft other legal documents or letters to third parties with legal opinions unless reviewed by an attorney. 	<ul style="list-style-type: none"> • LLPS cannot represent corporations • LLPS may not appear in court and may not

Paraprofessional (Limited License Legal Technician) Regulations in Other U.S. Jurisdictions

	Washington Limited License Legal Technician	Utah Licensed Paralegal Practitioners
	<ul style="list-style-type: none">• May not negotiate client's rights, attend depositions, appear in court, or initiate or respond to appeals.• May not assist clients with complex matters, e.g. de facto parentage, non-parental custody actions, Indian Welfare Act cases, property division, bankruptcy, anti-stalking orders, major parenting-plan modifications, UCCJEA jurisdiction issues, and disputed relocation	charge contingency fees