



Date: October 29, 2020

To: California Paraprofessional Program Working Group

From: Amos Hartston and Fariba Soroosh

Subject: Status Report on Regulatory Structure for a Paraprofessional Program

Executive Summary

The California Paraprofessional Program Working Group (CPPWG or Working Group) is charged with developing recommendations for consideration by the Board of Trustees for the creation of a paraprofessional licensure/certification program to increase access to legal services in California. The CPPWG's charter is informed by the [California Justice Gap Study](#) and the [Task Force on Access Through Innovation of Legal Services \(ATILS\)](#). In carrying out its charge, the CPPWG must balance the dual goals of ensuring public protection and increasing access to legal services. The CPPWG's recommendations to the Board will include, among other topics, the regulatory structure for paraprofessionals.

Discussion

The initial project plan for the CPPWG provided for the selection of practice areas and tasks that would be authorized for licensed paraprofessionals, to be followed by development of recommendations for the licensing requirements, regulatory structure, and disciplinary system for the program.

At its August 25, 2020 meeting, however, members of the CPPWG expressed reservations with regard to endorsing paraprofessional practice areas and tasks in the absence of an understanding of the requirements for licensing, regulation, and discipline for this newly created license. The working group decided, therefore, to pivot to consideration of these topics, after which it would return to the subject of practice areas and tasks. Three subcommittees were formed subsequent to the August meeting in response to this pivot: Licensing, Discipline, and Regulation.

The Regulation Subcommittee, which comprises the authors of this memorandum, was tasked with the development of a recommended paraprofessional regulatory structure. In doing so, we considered the following information:

- Recommendations from the [March 2020 Report from the Task Force on Access Through Innovation of Legal Services](#);

- Regulatory requirements in other jurisdictions with paraprofessional programs; and
- Recommendations from the [May 2020 Report from the Governance in the Public Interest Task Force](#).

This memo provides a report on the status of our discussions, and topics for further exploration regarding a regulatory structure for paraprofessionals.

ATILS Report

The report issued by the ATILS Task Force in March 2020 included key principles identified by ATILS regarding to the development of a paraprofessional licensing program, as well as recommendations for the CPPWG to consider. We determined that some of those topics fall within the purview of our subcommittee, while others do not. Table 1 provides a summary of topics from the ATILS Report, as well as other potential regulatory topics we identified, with an indication of whether we believe they properly fall under the purview of the Regulation Subcommittee:

Table 1. Topics Included and Excluded from Regulation Subcommittee Purview

Included	Not Included
Financial responsibility	Leveraging population of existing providers
Continuing education	Consumer outreach
Mandatory disclosures	Selection of areas of law and specific tasks
Fee limitations	Discipline
Proactive/risk-based regulation	Startup Costs / Costs of regulation
Informed consent requirement	Determining an appropriate name for the licensees
Advertising limitations	Protections similar to attorney-client relationship
Ethical Standards	Drafting Rules of Professional Conduct and proposed statutes (subcommittee may provide input) <ul style="list-style-type: none">• Fees (trusts, fee sharing, limitations)• Communications• Advertising• Conflicts of interest• Organization as client?• Limited scope representation• Diligence• Confidentiality/privilege• Ethical standards• Paraprofessional as third party neutral

Recommendations from the ATILS Report regarding a paraprofessional licensing program are provided as Attachment A.

Regulatory Requirements in Other Jurisdictions

We reviewed the regulatory requirements for California attorneys, paralegals, and legal document assistants (LDAs), as well as those in the following states and Canadian province, which have implemented, or are in the process of implementing, a legal paraprofessional program:

- Arizona
- Utah
- Washington
- Ontario

Our review found that significant variances in regulatory requirements by jurisdiction. Attachment B provides a summary of these requirements.

We reviewed the regulatory requirements with regard to the following topics:

- Mandatory continuing legal education (MCLE);
- Financial responsibility, including professional liability insurance, bonds, and client security funds;
- Proactive regulation, including audits and data reporting;
- Contract requirements, including mandatory disclosures; and
- Restrictions on fees that may be charged by paraprofessionals.

Regulatory Requirements Discussions

Our subcommittee met six times since the last full meeting of the Working Group. Our discussions were informed by policy considerations, including whether regulatory requirements for paraprofessionals should mirror those for attorneys, as well as the cost of establishing a separate regulatory structure for paraprofessionals. While we were not able to address all of the topics identified above, we made significant progress regarding MCLE and financial responsibility.

Mandatory Continuing Legal Education (MCLE)

We reviewed the MCLE requirements for California attorneys, paralegals, and LDAs, as well as those for paraprofessionals in other jurisdictions. There is significant variance in these regulations, from as few as 8 hours every 2 years (California paralegals) to as many as 15 hours per year (Arizona paraprofessionals). We also reviewed the MCLE requirements for certified specialists in California, who are required to complete 36 hours of MCLE in their specialty area every 3 years; these hours can be applied toward the general MCLE required of all California attorneys. Since paraprofessionals will be licensed for specific practice areas, we have modeled the recommended minimum MCLE requirements on a hybrid of the requirements for all California attorneys and for certified specialists, as follows:

- 36 hours every 3 years, as follows:
 - 30 hours in the paraprofessional's practice area
 - 4 hours of legal ethics
 - 1 hour on competence issues
 - 1 hour on recognition and elimination of bias in the legal profession and society

We recommend a 3-year cycle to allow for integration of MCLE compliance tracking within the current system.

Financial Responsibility

Our subcommittee did not agree on the financial responsibility requirements for paraprofessionals. Our discussions centered on three possible ways to provide financial responsibility: (1) malpractice insurance; (2) surety bond requirement; and/or (3) Client Security Fund/Restitution Fund.

Generally, Ms. Soroosh believes that regulation of licensees should track the regulation of attorneys; therefore, no insurance or bond should be required and the Client Security Fund should be limited to intentional acts after discipline. Mr. Hartston disagrees and believes that if we are going to create a new licensed professional it is essential that consumer protections be part of the regulations to ensure public protection. This includes financial responsibility as suggested by ATILS, as required by our goal of ensuring public protection, and as informed by California's experience with immigration consultants, LDAs, and other licensed professionals.

1. Malpractice Insurance

There was no agreement with regard to a requirement that paraprofessionals carry errors and omissions (malpractice) insurance. It is not required for attorneys, and as a practical matter may not be available initially for new licensed professionals. We also do not know the likely cost.¹ There was agreement that malpractice insurance should be encouraged and the State Bar could take steps to try to encourage insurance companies to make insurance available to licensees. It is required and available in some other jurisdictions. Mr. Hartston believes the Working Group should seriously consider requiring malpractice insurance if it can be available—especially if other systems are not in place for financial responsibility of paraprofessionals, such as a bond or restitution fund.

2. Surety Bond

A bond requirement is another option for financial responsibility, which also was suggested for our consideration by ATILS. Bonds are required for many different licensed professionals in California. This includes a \$100,000 bond requirement for immigration consultants; a \$25,000 bond requirement for LDAs; a \$25,000 bond requirement for unlawful detainer assistants; and a \$15,000 bond requirement for notaries, as examples. The subcommittee is interested in exploring whether requiring paraprofessionals to carry a bond would provide meaningful protection for their clients and, if so, an appropriate bond amount.

3. Client Security Fund/Restitution Fund

Attorneys in California participate in a Client Security Fund (CSF); payouts from the CSF are limited to situations where an attorney engaged in intentional wrongdoing such as theft. In most circumstances, discipline or a criminal conviction is a required precondition to recovery from the CSF. Thus, claims to the CSF can take many years to be paid.

¹ ALPS, the insurance carrier that provides insurance to Washington paraprofessionals, has indicated that they would work with the State Bar to develop an insurance product to provide coverage to licensed paraprofessionals.

We recommend that paraprofessionals also have a CSF. The subcommittee is considering a recommendation of whether the CSF should be combined with the attorney fund or established as a separate fund, based on a number of considerations. The CSF, however, does not provide a consumer friendly or quick recovery, and is not available at all in cases of negligence. Therefore, it may not be a sufficient solution for paraprofessional financial responsibility.

Ms. Soroosh believes that financial responsibility requirements for paraprofessionals should mirror those of attorneys, including with respect to a CSF. Paraprofessional licensure will establish educational, experiential, and testing requirements for licensees; financial responsibility requirements should reflect the assumption that licensees will carry out their responsibilities with the same standards of ethics and competency that is expected of attorneys. Further, establishing a separate restitution fund for paraprofessionals will place an undue financial burden on the program, which might put its survival in jeopardy. Ms. Soroosh believes that paraprofessionals should participate in the CSF on the same basis as attorneys.

As noted, Mr. Hartston believes financial responsibility, through insurance, bond, and/or a restitution fund is a critical part of consumer and public protection. He recommends the creation of a restitution fund for paraprofessionals that would compensate clients for both intentional wrongdoing and negligence/malpractice, especially if malpractice insurance is not required. Also, to avoid long wait times, we should consider not requiring a finding of discipline or a criminal conviction required as a precondition to recovery from the fund (although a complaint to the program could be). This eligibility approach may help obviate the client's need to retain an attorney to pursue a malpractice (unintentional negligence) claim.

Table 2 provides a summary of the elements of a CSF/restitution fund being considered by the subcommittee.

Table 2. Paraprofessional Restitution Fund Design

Issue	Options
Type of Claims Covered	<ul style="list-style-type: none"> • Deliberate Acts <ul style="list-style-type: none"> ○ Theft, or an act equivalent to theft ○ Funds received and wrongfully retained • Unintentional errors and omissions (malpractice)
Eligibility Requirements	<ul style="list-style-type: none"> • Determination of eligibility to be made by paraprofessional board <ul style="list-style-type: none"> ○ Final determination of discipline not required ○ Malpractice judgment not required
Losses Reimbursed	<ul style="list-style-type: none"> • Monetary <ul style="list-style-type: none"> ○ Actual losses resulting from intentional acts ○ Potential losses resulting from malpractice
Cap on Restitution Amount	\$25,000 <ul style="list-style-type: none"> ○ Based on limited jurisdiction amount
Reimbursement to Fund	Paraprofessional would be required to reimburse Restitution Fund for claims paid due to their actions

Issue	Options
	<ul style="list-style-type: none">○ Rules to provide due process (for example, reimbursement only after discipline finding)
Funding Source	<p>Annual assessment on paraprofessionals</p> <ul style="list-style-type: none">○ Startup funding may be required

Remaining Topics

As discussed above, there are a number of topics that have not yet been addressed by our subcommittee. Following is a brief summary of these topics:

Proactive regulation

Both the ATILS report cited above and the 2020 Governance in the Public Interest Task Force Report include recommendations for the implementation of proactive, risk-based regulation. Such regulation entails collecting and analyzing data to identify areas of potential harm, and conducting interventions to prevent such harm. An example can be found in Ontario, which requires both attorneys and paraprofessionals to submit annual reports regarding the services they provide, and to submit to audits of their work.

Mandatory Disclosures

Paraprofessional programs generally require licensees to prominently disclose, in their advertisements and contracts, that they are not attorneys, to specify the practice areas in which they are licensed, and to identify the limits of their practice.

Informed Consent

ATILS suggested that the Working Group also consider an informed consent requirement. An affirmative indication of consent could provide additional assurance that clients are aware of the limits of service that paraprofessionals can provide.

Fee Restrictions

Mr. Hartston believes there should be fee caps, reflecting the purpose of the program to provide a low-cost alternative to attorneys and to further support our goals of consumer and public protection. Ms. Soroosh believes there should not be fee caps because attorneys do not have fee caps. Several paraprofessional programs place limits on the types of fees that paraprofessionals may charge, including prohibitions on contingency fees. The Working Group should consider this topic during the meeting on October 29. The subcommittee did not reach agreement on fee caps or restrictions.

Next Steps

At the October 29 meeting, the subcommittee seeks input from the Working Group on the topics of MCLE, financial responsibility, and fee caps. After receiving this input, the subcommittee should reconvene to further refine its recommendations in that area, and to discuss the remaining topics identified above.

As it develops its recommendations, the subcommittee has and will identify regulatory requirements to be included in statutes and rules of professional conduct. We seek input from the Working Group on an approach to developing rule and statutory changes that will be necessary for the implementation of a paraprofessional program.

Recommendation 3.3 received a total of approximately 98 written public comments, 89 in opposition, five in support, and four with no stated position. Public comment themes, along with the Task Force's responses to each, are outlined below.

1. The need for this new Rule of Professional Conduct is unclear because the provision of law related services, including dual profession services, in the context of an attorney-client representation is already addressed in California case law and ethics opinions, and these authorities appear to offer better client protection than the terms of Model Rule 5.7.

Task Force Response: Case law and ethics opinions are not as accessible as the rules. As discussed above, a new rule offers the appeal of greater clarity in a lawyer's duties and could facilitate innovative delivery of law related services.

2. Adding this new rule would encourage the provision of law related services and give law firms options to lower costs or provide added value.

Task Force Response: The Task Force agrees and has prepared a proposed rule that is recommended for public comment distribution by the Board.

Conclusion and Next Steps: Should the Board agree with this proposal, it is anticipated that the proposed new rule 5.7 would be issued for a 60-day public comment period. If ultimately adopted by the Board, the proposed amendment would need to be submitted to the California Supreme Court for approval (see Bus. & Prof. Code, §§ 6076 & 6077).

Recommendation No. 4

Commend to the Anticipated State Bar Paraprofessional Working Group the Key Principles Identified by ATILS in Studying the Concept of a Licensing Program that Authorizes Eligible Nonlawyers to Provide Limited Legal Services

Summary of the Recommendation: With limited exceptions, existing California law restricts the practice of law to lawyers who are active licensees of the State Bar. Practice of law by nonlawyers is subject to prosecution for UPL. Other jurisdictions have implemented, or are studying, programs that authorize limited practice of law by nonlawyer paraprofessionals. The goal of these programs is to provide consumers with enhanced access to legal services. In studying innovative legal services delivery systems, ATILS received presentations from experts that included an observation that a paraprofessional program could serve as a component of a broader unauthorized practice of law reform that would serve the public interest. In discussing the regulatory issues presented by a paraprofessional program, ATILS has identified key principles and recommends that these principles be referred for consideration by the anticipated State Bar paraprofessional working group.

Discussion: At its meeting on January 24, 2020, the Board adopted the following resolution regarding consideration of a paraprofessional program similar to existing Limited Licensed Legal Technician (LLLT) programs in other jurisdictions.

RESOLVED, that the Board of Trustees directs staff, in consultation with the Board's Access Liaisons, to take the following steps to form a working group to develop recommendations to the Board by the end of 2020 for a paraprofessional program (e.g., LLLT) in California:

- Develop a draft charter
- Identify the appropriate size and composition of the working group
- Solicit interest in participation in the working group

It is anticipated that the Board will adopt a working group charter and appoint members at its March meeting.

Based on the Task Force's discussions about a new UPL exception for a regulated nonlawyer provider, including consideration of public input and information learned from stakeholder outreach meetings, there are several key principles that the Task Force believes warrant further study by the new working group in developing an implementation plan. Included in these key principles are regulatory considerations that should have a significant positive impact on public protection. The key principles are listed below but they should not be regarded as a comprehensive list of all possible implementation issues and regulatory considerations.

1. Leveraging the Population of Existing Providers and Other Persons Who Have Relevant Education as Applicants for a Paraprofessional License

Existing providers include: paralegals; legal document assistants; unlawful detainer assistants; and immigration consultants. A comparison table showing the components of the respective licensing programs for these professionals is provided as Appendix 11. Other persons who have relevant education include: applicants possessing a juris doctorate degree or other law degree (but not yet admitted in any jurisdiction); law students at an ABA or State Bar-accredited law school who did not graduate and were not admitted in any jurisdiction; and law students who completed one year of law school at a State Bar-unaccredited registered law school or who attempted to learn the law through the Law Office Study Program, but did not complete their studies and did not become admitted, but in that process did successfully pass the First Year Law Student's Examination.¹⁶

Each of these categories of persons should be considered as potential applicants who could demonstrate knowledge and experience that might serve as a basis for modifying or waiving otherwise applicable eligibility criteria that would be developed for the

¹⁶ The Task Force discussed the issue of whether former lawyers (e.g., disbarred lawyers or lawyers who have resigned with disciplinary charges pending or have been placed on involuntary inactive status) should be eligible to apply to participate in the new program. This is an issue for the new paraprofessional working group to consider with input from the Office of the Chief Trial Counsel. ATILS does not take a position but offers the observation that the Rules of Professional Conduct (rule 5.3.1) and case law (e.g., *Benninghoff v. Superior Court* (2006) 136 Cal.App.4th 61 [38 Cal.Rptr.3d 759]) impose special restrictions on former lawyers.

application process. The general principle here is that there should be flexibility in determining applicant eligibility and in assessing how an applicant satisfies education, experience, and other application requirements. For example, an applicant who holds a juris doctorate degree, has completed a professional responsibility course, and has passed the multistate professional responsibility examination, might be deemed as satisfying an otherwise applicable requirement to complete a course or training on legal ethics. In contrast, an applicant who is an experienced Legal Document Assistant but who has never had education or training in legal ethics would not be exempted from that application requirement.

2. Consumer Understanding and Outreach

Consumer understanding and outreach includes determining an appropriate name for the new providers, consideration of mandatory disclosures or a possible informed consent requirement, and the regulator's responsibility to educate the public regarding the availability and authority of the new class of licensees.

3. Protections Similar to those Afforded in an Attorney-Client Relationship

These protections would include concepts of confidentiality and privilege. An evidentiary privilege similar to the statutory privilege for communications with a Certified Lawyer Referral Service may also be considered. In addition, these protections should include compliance with anti-bias and anti-discrimination standards.

4. Selection of Areas of Law and Specific Legal Services/Tasks

Data from the Justice Gap Study and the California Attorney Practice Analysis (CAPA) study¹⁷ should be used to identify permissible practice areas and suitable tasks.¹⁸ In addition, another source would be the California Court's online Self-Help Center. This online information offers extensive user-friendly self-help information and guidance on use of approved forms by pro per litigants, such as a pro per litigant seeking a change in child support. The most frequently accessed pages at the Self-Help Center might help identify those areas of greatest need that could be appropriate for the contemplated paraprofessional program.

The paraprofessional working group should consider the possibility that areas of law not identified by any of the resources outlined above might also be areas of law in high

¹⁷ The CAPA study includes data on: the kinds of tasks performed and the depth of knowledge required for the proper performance of those tasks; the level of complexity of any given task; and the levels of criticality for the kinds of tasks performed by attorneys, as determined by the degree of potential harm to the client if the task is performed incorrectly. The CAPA fact sheet is posted online at: http://www.calbar.ca.gov/Portals/0/documents/Practice_Analysis_Fact_Sheet.pdf. See also CAPA EMS Survey Results posted at: <http://board.calbar.ca.gov/docs/agendaitem/Public/agendaitem1000024865.pdf>.

¹⁸ In addition, the application process might require each applicant to specify the areas of law and/or specific tasks that they are seeking to be licensed to render to consumers.

demand by low income or otherwise vulnerable populations and are encouraged not to create an exclusive list. There are potentially areas not typically identified as critical access to justice issues which might – nevertheless – serve serious needs. For example, the transgender community suffers significant risk of harassment, violence, and even murder when government issued identification documents do not accurately reflect name and gender identity. Therefore, legal services that support streamlined and accurate name and gender changes are critically important for this community. However, given the relatively small population of the transgender community, a traditional approach to the identification of subject areas appropriate for inclusion in the paraprofessional program might overlook this type of service.

5. Background Check

Because the Task Force received public comment about nonlawyer fraud in connection with immigration services provided by nonlawyers (a.k.a., notario fraud), a background check that could involve a fingerprinting requirement for all applicants should be considered.

6. Financial Responsibility

Program participants might be required to carry professional liability insurance, maintain a bond, or otherwise comply with a financial responsibility requirement. Although attorneys generally are not required to carry professional liability insurance, they are required to contribute to a Client Security Fund. A similar requirement for program participants is also an option that could be studied.

7. Continuing Education

Program participants should be required to meet continuing legal education requirements, which might include a minimum number of legal ethics credits. Traditional paralegals who work under the supervision of a lawyer must complete continuing education (including legal ethics units). A similar requirement for paraprofessionals not under the direct supervision of a lawyer should also be a part of the regulatory framework.

8. Revisions to the California Rules of Professional Conduct

Clarification regarding fee sharing between lawyers and the new nonlawyer providers are among some of the Rule of Professional Conduct issues that would need to be considered.¹⁹ Additional revisions to the Rules of Professional Conduct and other

¹⁹ For example, the [Utah Rules of Professional Conduct](#) (as revised effective May 1, 2019) include a terminology rule clarifying that a “Legal Professional” in Utah includes nonlawyers who are authorized providers of legal services. See Utah rule 1.0 that in part provides:

(h) “Legal Professional” includes a lawyer and a licensed paralegal practitioner.

ancillary rules governing the provision of legal services beyond those delineated here should be considered by the paraprofessional working group.

9. Ethical Standards for Program Participants

Other jurisdictions that have allowed nonlawyers to provide legal services (e.g., Utah's Licensed Paralegal Practitioner program) require compliance with specially designed ethical conduct standards. For example, the issue of prohibiting "running" and "capping" can be addressed in these new conduct standards developed for the program. Provisions for safekeeping of funds and property entrusted by clients and others should also be developed.

10. Risk-Based Proactive Regulation

Auditing and other mandatory reporting should be explored as a means to reduce the cost of regulation and to ensure that the regulator's compliance activities are tailored to specific program risks and potential harms.

11. Compliance Enforcement

Although a new risk-based proactive system can be used to identify situations that would prompt the regulator to act to ensure compliance, ATILS believes that a traditional complaint driven system should also be implemented as an option for consumers. Both a risk-based system and a complaint driven system can lead to potential consequences such as license suspension/revocation, fines, civil liability, and criminal prosecution.

12. Cost of Regulation

It is very important that any regulatory framework have appropriate resources to enable the auditing/enforcement mechanisms that typically serve as key public protections. The Task Force recommends that the paraprofessional working group identify sources of program funding including application fees, continuing education fees, and potentially, grant funding.

13. Startup Costs of Establishing the Program

Additionally, the Task Force is aware that startup costs for establishing this paraprofessional program may be substantial. The Task Force discussed the possibility of exploring grant funding as one method for meeting startup costs. The following sources of grant funding have not been contacted by the Task Force but are listed below as examples of the types of grants that could be explored.

(i) "Licensed Paralegal Practitioner" denotes a person authorized by the Utah Supreme Court to provide legal representation under Rule 15-701 of the Supreme Court Rules of Professional Practice.

- National Center for State Courts – NCSC is contributing staff time to the creation of a regulatory body in Utah and may be willing to provide similar services to California.
- State Justice Institute – SJI is also a funding source for the creation of the Utah regulatory body.
- Public Welfare Foundation – PWF funded (in partnership with NCSC) a Justice for All initiative which demonstrates the foundation’s interest in creative ways to increase access to justice.
- Pew Charitable Trusts – recently launched a Civil Legal System Modernization project.
- Gates Foundation, Google.org, Chan Zuckerberg Initiative – While these organizations do not have civil justice specific grant making goals it is recommended that the paraprofessional working group explore potential funding opportunities with them.

14. Outreach

The Task Force recommends that the paraprofessional working group reach out to and engage with several existing educational resources and trade associations and secure input from these organizations as part of the development of this new program including:

- Educational resources – paralegal certification programs (at traditional colleges and universities, law schools, and community colleges).
- Trade Associations – California Alliance of Paralegal Associations, California Association of Legal Document Assistants, National Association of Immigration Consultants, and others as identified.

Relationship to the ATILS Charter: This recommendation responds to the charter as it is a proposal for a new exception to existing UPL restrictions. The purpose of the new exception is to increase effective and meaningful access to the justice system through greatly expanded resources. By expanding the pool of available legal expertise and at a cost presumably less than a fully licensed attorney, many more Californians in need of legal advice and assistance may be in a better position to secure that assistance.

In part, the progress and acceptance of limited scope legal services by attorneys has motivated the Task Force’s consideration of this concept. Under Rule of Professional Conduct 1.2(b), attorneys are able to unbundle any client case or matter provided it is reasonable under the circumstances, not otherwise prohibited by law, and the client gives informed consent.²⁰ The

²⁰ Another existing practice that informs this recommendation, in particular the key consideration of ethical standards for the licensees, is the provision of law related services by [court-connected family law facilitators](#). The

	Continuing Legal Education	Insurance	Client Security Fund	Audits	Data Reporting	Contract Requirements	Restrictions on Fees
California Attorneys	25 hours every 3 years - half must be "participatory." - no more than half can be self-study - 4 hours legal ethics - 1 hour competence - 1 hour elimination of bias	Insurance not required; disclosure of lack of insurance required	\$40 annual assessment	None	None	Written fee agreement required for fees >\$1,000.	Prohibition against unconscionable fees
California Paralegals	8 hours every 2 years - 4 hours legal ethics - 4 hours general or specialized law	No requirements	No	None	None	N/A	Prohibited from contracting with anyone other than an attorney
California Legal Document Assistants	15 hours every 2 years	\$25,000 bond	No	None	None	Written contract required.	
Arizona	15 hours every year - 3 hours professional responsibility	Same as for lawyers (disclosure of lack of insurance required)	Yes	None	None specified	Arizona Rules of Professional Conduct have not yet been updated to reflect LLLPs.	Arizona Rules of Professional Conduct have not yet been updated to reflect LLLPs.
Utah	12 hours every 2 years - 3 hours ethics or professional responsibility 1 hour professionalism and civility	No mention in rules	Yes	None	None specified	Written contract required.	Prohibition against unreasonable fees Contingency fees prohibited
Washington	30 credits every 3 years - 15 credits law and legal procedure - 6 credits ethics	Required to have insurance unless employed by government	Yes	None	None specified	Written contract required	Prohibition against unreasonable fees Contingency fees prohibited
Ontario	12 hours per year - 3 hours on professional responsibility, ethics and/or practice management (must include 1 hour on equity, diversity and inclusion) - 9 hours substantive practice area	Insurance required	Yes	Law Society of Ontario conducts Practice Audits of licensed paralegals	Annual report required - Professional business - Other activities related the practice of law or provision of legal services	No written contract required	Prohibition against unreasonable fees Contingency fees permitted