

Draft SCOPE OF PRACTICE AUTHORIZED BY LIMITED PRACTICE RULE
language

- (1) The [Paraprofessional] shall ascertain whether the issue is within the defined practice area for which the [Paraprofessional] is licensed. If it is not, the [Paraprofessional] shall not render any legal assistance on this issue and shall advise the client to seek the services of a lawyer. If the issue is within the defined practice area, the [Paraprofessional] may render the following limited legal assistance to a self-represented client:
- (a) Obtain relevant facts, help the client collect relevant information and documents, and explain the relevancy of such information to the client;
 - (b) Inform the client of applicable procedures, including deadlines, documents which must be filed, and the anticipated course of the legal proceeding;
 - (c) Assist with selecting and completing appropriate court forms that have been approved by the Judicial Council of California (i.e., Judicial Council forms), by the local court, by statute, by the [Paraprofessional] Board, or by a California lawyer; advise the client of the significance of the selected forms to the client's case;
 - (d) Inform the client of and assist with applicable procedures for proper service of process and filing of legal documents;
 - (e) Provide the client with California court-approved self-help resources and other self-help materials prepared by a California lawyer or approved by the [Paraprofessional] Board, which contain information about relevant legal requirements, case law basis for the client's claim, venue and jurisdiction requirements, and other information that may help empower the client to understand their rights, how to use court forms, how to represent themselves in court, and potentially how to resolve the dispute outside of court;
 - (f) Review documents or exhibits that the client has collected or received and explain them to the client;
 - (g) Perform legal research;
 - (h) Draft documents to be filed with the court beyond what is permitted in paragraph (c), if the work is reviewed and approved by a California lawyer;
 - (i) Advise the client as to other documents that may be necessary to the client's case, and explain how such additional documents or pleadings may affect the client's case;

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- (j) Assist the client in obtaining necessary records, such as birth, death, or marriage certificates;
- (k) Communicate and negotiate with the opposing party or the party's representative regarding procedural matters, such as setting court hearings or other ministerial or civil procedure matters;
- (l) Negotiate the client's legal rights or responsibilities, provided that the client has expressly given written consent defining the parameters of the negotiation prior to the onset of the negotiation; and
- (m) Render other types of legal assistance when specifically authorized by the scope of practice regulations for the approved practice area in which the [Paraprofessional] is licensed.

(2) A [Paraprofessional] has an affirmative duty to inform clients when issues arise that are beyond the authorized scope of the [Paraprofessional]'s practice. In such circumstances, the [Paraprofessional] shall inform the client in writing that:

- (a) the issue may exist, describing in general terms the nature of the issue;
- (b) the [Paraprofessional] is not authorized to advise or assist on this issue;
- (c) the failure to obtain a lawyer's advice could be adverse to the client's interests; and
- (d) the client should consult with a lawyer to obtain appropriate advice and documents necessary to protect the client's interests.