



The State Bar *of California*

CALIFORNIA PARAPROFESSIONAL PROGRAM WORKING GROUP

Date: August 19, 2021

To: Regulation Subcommittee

From: California Paraprofessional Program Working Group Staff

Subject: Paraprofessional Licensee Name

At its June 25, 2021, meeting, the CPPWG reviewed the staff memo regarding paraprofessional licensee name survey results. It was agreed that the top three names, as well as others identified by the working group, would be sent to professional translators, with a particular interest in understanding the potential Spanish translations of various name options. Licensee name options were sent to Language Line, which provides real-time interpreting services to the State Bar Call Center as well as translation of written materials, and Transcend, which provides translation services for the Judicial Council and state courts, accordingly.

Language Line

The initial Spanish translations provided by Language Line raised some concerns (e.g., the use of the word “abogado,” which means lawyer). I followed up with Language Line and had an in-depth conversation with a Spanish language interpreter/translator to provide more information about the paraprofessional program and the concerns that were raised about potential confusion with licensee names. Subsequently, I received a more satisfactory translation, along with suggested licensee names. The initial and subsequent translation from Language Line are provided as Attachment A.

Transcend

I had an extensive conversation with Transcend prior to sending the request for translation. The translation from Transcend is provided as Attachment B.

I forwarded both the improved translation from Language Line and the Transcend translations to Elizabeth Olvera, and asked for her review and feedback. A summary of Elizabeth’s feedback is provided below.

Elizabeth prefaced her comments by explaining that, while she is fluent in written and spoken Spanish, she is unfamiliar with the customary Spanish spoken in other countries in the professional legal arena.

Elizabeth Olvera Response to Language Line Improved Translation

Practicante

This term is not commonly used in written or spoken form in the United States. While this might be an advantage, in that it might avoid confusion, in other countries it is used to refer to an intern/apprentice, which could infer a lack of knowledge or a person in a training mode.

Preferred name (Language Line options):

- Licensed Legal Advisor/Asesor legal con licencia
- Limited Legal Advisor/Asesor legal limitado

Elizabeth Olvera Response to Transcend Translation

Elizabeth recommends that proposed names be selected from the Spanish 2 or 3 variants based on the following assumptions regarding Spanish speakers in the U.S. that will use paraprofessional services:

- They speak some English, but prefer legal paperwork explained to them in Spanish.
- They have legal issues that they want to pursue for which they would be comfortable seeking assistance from a nonattorney (paraprofessional).

Elizabeth believes that people identified in the Transcend document as using Spanish variant 1 tend to trust attorneys more. For these Spanish dominant readers, their legal needs are usually in their home country, such as divorce from a partner still living abroad, a deed for a home outside the U.S., and powers of attorney. These older adults tend to reach out to attorneys in the U.S. that are familiar with the laws of their country.

When they have domestic legal issues, they prefer not to “make waves” and usually don't sue, or take many matters to court. However, when they do, they hire attorneys and use a translator to assist them.

Preferred name (Transcend options):

- Limited License Legal Practitioner/Profesional legal con licencia limitada (clear, but wordy)
- Limited Legal Advisor/Asesor legal limitado (Clear)

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Staff Recommendations

Staff recommends that the following licensee names be included for consideration by the Board of Trustees:

- Limited Legal Advisor/Asesor Legal Limitado
- Licensed Legal Advisor/Asesor Legal Con Licencia
- Limited License Legal Practitioner/Practicante Legal Con Licencia Limitada

License Names for translation:	Spanish (US)	Spanish (MX)	Spanish (LA)
Limited License Legal Practitioner	Abogado con licencia y con limitación	Abogado con cédula profesional y con limitación	Abogado con matrícula y con limitación
Certified Legal Practitioner	Asesor Legal Certificado	Asesor jurídico con cédula profesional	Asesor jurídico con matrícula
Licensed Legal Advisor	Abogado defensor con limitación	Abogado defensor con limitación	Abogado defensor con limitación
Limited Legal Advisor	Abogado con limitación	Abogado con limitación	Abogado con limitación
Limited Legal Advocate	Abogado certificado	Abogado certificado	Abogado certificado
Limited Legal Professional	Consultor legal con limitación	Asesor legal con limitación	Asesor legal con limitación
Limited Legal Practitioner	Profesional de la abogacía con limitación	Profesional del derecho con limitación	Profesional del derecho con limitación

License Names for translation:	Chinese	Filipino	Korean	Russian
Limited License Legal Practitioner	有限许可法律执业者	Legal na Praktisyoner na May Limitadong Liser	제한적 면허 소지 법조인	Практикующий юрист с ограниченной лицензией
Certified Legal Practitioner	认证法律执业者	Sertipikadong Legal na Praktisyoner	인증 법조인	Сертифицированный практикующий юрист
Licensed Legal Advisor	持证法律顾问	Lisensiyadong Legal na Tagapayo	면허 소지 법률 자문	Лицензированный юрисконсульт
Limited Legal Advisor	有限执业法律顾问	Limitadong Legal na Tagapayo	제한적 법률 자문	Юрисконсульт с ограниченными правами
Limited Legal Advocate	有限执业法律辩护人	Limitadong Legal na Tagapagtaguyod	제한적 변호사	Адвокат с ограниченными правами
Limited Legal Professional	有限执业法律专业人员	Limitadong Legal na Propesyonal	제한적 법률 전문가	Профессиональный юрист с ограниченными правами
Limited Legal Practitioner	有限法律执业者	Limitadong Legal na Praktisyoner	제한적 법조인	Практикующий юрист с ограниченными правами

Language Line Improved Spanish Translation

This is what I believe would be the best approach to the matter.

<u>License Names for translation:</u>	<u>Spanish (US)</u>
Limited License Legal Practitioner	Practicante legal con licencia limitada
Certified Legal Practitioner	Practicante legal certificado
Licensed Legal Advisor	Asesor legal con licencia
Limited Legal Advisor	Asesor legal limitado
Limited Legal Advocate	Defensor legal limitado
Limited Legal Professional	Profesional jurídico limitado
Limited Legal Practitioner	Practicante legal limitado

I have provided, above, more accurate translations that avoid the use of abogado, licenciado and other terms that may lead to confusion.

As I explained during our conversation, I believe that Spanish US is the only reasonable version we should work with because this legal figure will be exclusive to the US and because we could not possibly cover all different possibilities in all different Spanish-speaking locales.

We also discussed how it would be optimal to provide an official translation rather than expect people to come up with a reasonable translation. Each person will come up with a different version. Even professionals feel sometimes the need to get “creative”, and on top of that, not everybody would translate the same thing. If you end up with several different terms for the same figure, it is going to be hard for people at large to understand that they are referring to the same thing.

Of the proposed ones, I favor:

- Licensed Legal Advisor
- Limited Legal advisor

I propose:

- Consejero legal certificado: Certified Legal Counselor
- Asesor legal certificado: Certified Legal Advisor

Again, I strongly encourage that the desired name in Spanish be adopted officially and publicized with the corresponding documentation to limit the possibilities that different people give different translations to this legal figure. It is particularly dangerous to let that happen because in many areas there are people that “practice law” without any kind of certification or legal authorization to do so and very often have a reputation as scammers and impersonators.

There is no guarantee that any translator will translate the same as another, and that is why, again, I encourage the early adoption and distribution of the desired denomination in Spanish for this novel legal figure.

	Key:	1st Choice = Blue	2nd Choice = Yellow	3rd Choice = Pink				
Language Survey for New Title								
Possible English titles; please translate them:	Chinese - Simplified	Korean	Russian	Tagalog	Vietnamese	Spanish 1*	Spanish 2†	Spanish 3
A. Limited License Legal Practitioner	有限许可法律从业者	유면허 제한 법률사무 관리자	A. Практикующий юрист с ограниченной лицензией	Limitadong Lisensiyadong Propesyonal na Pambatas	Chuyên Viên Pháp Lý Có Giấy Phép Giới Hạn	Técnico legal con autorización limitada	Practicante legal de licencia limitada	Profesional legal con licencia limitada
B.Certified Legal Practitioner	认证法律从业人员	공인 법률사무 관리자	B. Сертифицированный практикующий юрист	Sertipikadong Tagatulong na Pambatas	Chuyên Viên Pháp Lý Được Chứng Nhận	Técnico legal certificado	Practicante legal certificado	
C. Licensed Legal Advisor	持照法律顾问	유면허 법률사무 고문	C. Лицензированный юрисконсульт	Lisensiyadong Tagapayong Pambatas	Cố Vấn Pháp Lý Có Giấy Phép	Asesor jurídico autorizado	Asesor legal acreditado	Consejero legal acreditado
D. Limited Legal Advisor	有限法律顾问	제한 법률사무 고문	D. Юрисконсульт с ограниченной ответственностью	Tagapagtaguyod na Pambatas	Cố Vấn Pháp Lý Giới Hạn	Asesor jurídico limitado	Asesor legal limitado	Consejero legal limitado
E. Limited Legal Advocate	有限法律辩护人	제한 법률사무 협력자	E. Адвокат с ограниченной ответственностью	Limitadong Tagapayong Pambatas	Người Bênh Vực Pháp Lý Giới Hạn	Representante legal limitado	Defensor legal limitado	
F. Limited Legal Professional	有限法律专业人员	제한 법률사무 전문가	F. Юрист с ограниченной ответственностью	Limitadong Propesyonal na Pambatas	Chuyên Gia Pháp Lý Giới Hạn	Profesional jurídico limitado	Profesional legal limitado	
G. Limited Legal Practitioner	有限法律从业人员	제한 법률사무 관리자	G. Практикующий юрист с ограниченной ответственностью	Limitadong Tagatulong na Pambatas	Chuyên Viên Pháp Lý Giới Hạn	Técnico legal de práctica limitada	Practicante legal limitado	
H. Other Term You believe is culturally competent for your community. List the "back" translation of this term below.	持照法律从业者	유면허 법률 사무원	H. Сертифицированный юрист	Sertipikadong Tagapayong Pambatas	none	Técnico jurídico; Asistente jurídico		
Which 3 terms do you prefer, in order of preference? (Ex: E, G, A)	B, D, C	B, C, H	C, F, D	B,C,F	C, D, F	H, A, B		
Técnico jurídico is now in use in some LA countries. See link above.								
Back Translation of H. above	Licensed legal practitioner	Licensed Legal Clerk	Certified Legal Professional	Certified Legal Advisor	n/a	Legal Practitioner; Legal Assistant		
						* Spanish variant used for California courts translations; i.e, standard lexicon for Spanish-dominant readers in California mostly from Mexico and Central America.	† Variant often used by Spanish-English code switchers, whose dominant language or language of schooling may not be Spanish.	Variant for Spanish speakers whose dominant language and language of schooling is probably English.