



The State Bar of California

CALIFORNIA PARAPROFESSIONAL PROGRAM WORKING GROUP

Date: August 31, 2021

To: California Paraprofessional Program Working Group

From: Julia Brynerson, Stephen Hamilton, Judge Michael Harper, and Claudia Torres-Ambriz

Subject: Recommendations for Paraprofessional Practice Area Educational Requirements

EXECUTIVE SUMMARY

The California Paraprofessional Program Working Group (CPPWG) is charged with developing recommendations for consideration by the Board of Trustees for the creation of a paraprofessional licensure 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](#). 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 requirements for paraprofessional licensing.

DISCUSSION

At its February 26, 2021, meeting, the California Paraprofessional Program Working Group (CPPWG) adopted the Licensing Subcommittee's recommendations for paraprofessional licensing requirements that include, among other requirements, 1,000 hours of practical training completed under attorney supervision, with a minimum of 500 hours in the licensed practice area. Recommendations also included a set of core educational requirements, as well as preliminary subject matter requirements for the family law practice area. The CPPWG agreed that each practice area subcommittee would recommend subject matter-specific educational requirements. Table 1 provides a summary of educational requirements adopted at the February 26, 2021 meeting.

Table 1. Educational Requirements Adopted on February 26, 2021

Practice Area	Course	Units ¹
All Practice Areas	Ethics and Professional Responsibility	3
	Pretrial Discovery and Evidence	3
	Court Procedure	3
	Court Advocacy	3
	Trauma-informed representation	1
	Total	13
Family Law	Family Law and Procedure	3
	Advanced Family Law and Procedure	3
	Total	6

At its June 29, 2021, meeting, the Family, Children, and Custody Subcommittee developed additional recommendations that included requirements for adoption, violence prevention, and conservatorships and guardianships. Final recommendations from the Family, Children, and Custody Subcommittee are provided in table 2.

Table 2. Family, Children, and Custody Educational Requirements

Course	Units
Family Law and Procedure	6
Adoption	2
Violence Prevention	2
Conservatorship/Guardianship	3
Total	13

There was not time to schedule formal meetings of the other practice area subcommittees in advance of the Licensing Subcommittee meeting scheduled for August 6. In the alternative, staff recommendations were sent electronically for consideration by each subcommittee; these recommendations were benchmarked to the family law requirements, since family law is generally acknowledged to be the most complex of the areas included in the paraprofessional program.

Staff recommendations were distributed to the Collateral Criminal, Consumer Debt & General Civil, Employment & Income Maintenance, and Housing Subcommittees; members of each subcommittee were asked to review the recommendations and provide their feedback. A memo providing a summary of the staff recommendations and feedback from the subcommittees was posted to the agenda for the August 6 Licensing Subcommittee meeting,

¹ One unit is defined as one hour of classroom instruction and a minimum of two hours of out of class student work each week. Based on a 15-week semester, each unit reflects 45 hours of student engagement; a 3-unit course is equal to 135 hours.

and was distributed to members of the practice area subcommittees in advance of the meeting. Members of those subcommittees were invited to attend the August 6 Licensing Subcommittee meeting to provide information and answer questions about their recommendations. The August 6 staff memo to the Licensing Subcommittee is provided as Attachment A.

At its August 6 meeting, the Licensing Subcommittee considered the recommendations included in the memo, as well as feedback provided by members of the practice area subcommittees who were not available to attend the meeting. Following are the recommendations adopted by the Licensing Subcommittee:

Collateral Criminal

The Licensing Subcommittee recommends adoption of the educational requirements included in table 3, which reflect the staff recommendation and agreement by the Collateral Criminal Subcommittee.

Table 3. Collateral Criminal Educational Requirements

Course	Units
Expungement, Reclassification, and Infractions	3

Consumer Debt & General Civil

The Licensing Subcommittee recommends adoption of the educational requirements included in table 4, which reflects feedback from one member of the Consumer Debt & General Civil Subcommittee to the staff recommendation. The subcommittee member recommended changing the course name from “Collections” to “Debt Collection and Consumer Harassment” and to increase the required number of hours for this course from 3 to 6, due to concerns that this area is complex and involves several state and federal consumer protection statutes. The Licensing Subcommittee agreed with the recommendation regarding the course name, but believe that a 3-hour course would be sufficient to cover the necessary information.

Table 4. Consumer Debt & General Civil Educational Requirements

Course	Units
Debt Collection and creditor harassment	3
Enforcement of Judgments [including wage and hour]	3
Name and Gender Change	0.5
Total	6.5

Family Law

The Licensing Subcommittee recommends adoption of the educational requirements included in table 2 on the previous page, which reflect the recommendations proposed by the Family Law Subcommittee.

Employment & Income Maintenance

The Licensing Subcommittee recommends adoption of the educational requirements included in table 5, which reflect the staff recommendation; no feedback was provided by the Employment & Income Maintenance Subcommittee.

Table 5. Employment & Income Maintenance Educational Requirements

Course	Units
Administrative Agency Procedure	3

Housing

The Licensing Subcommittee recommends adoption of the educational requirements included in table 6, which reflects feedback from two member of the Housing Subcommittee to the staff recommendation. Although two members of the Housing Subcommittee agreed with the staff recommendation for a 3-hour landlord-tenant course, one member recommended a 13-hour course on this topic, while another recommended a 6-unit course on unlawful detainer and a separate 3-hour landlord-tenant course. Both members specified content that should be included in these courses. The Licensing Subcommittee agreed that the course content for this practice area should be specified, but that the total number of hours should not exceed the requirements for the family law practice area.

Table 6. Housing Educational Requirements

Course	Units
Landlord-Tenant	
<ul style="list-style-type: none"> • Leases/rental agreements • Security deposits • Types of tenancies • Tenant Protections • Housing discrimination and landlord retaliation • Warranty of habitability • Rent control and eviction control • Ground and procedures for nonjudicial termination of tenancies • Unlawful detainer procedure • COVID-19 tenant protection laws and tenant assistance (until such laws expire) • Rental assistance programs 	10

The Licensing Subcommittee recommends that adopted educational requirements should be considered minimum requirement. Staff should be directed to work with subject matter experts and education providers to develop the content and adopt statewide educational requirements for licensed paraprofessionals.

RESOLVED, that the California Paraprofessional Program Working Group recommends adoption of the following minimum practice area educational requirements for licensed paraprofessionals, in addition to the core educational requirements adopted at the February 26, 2021, meeting:

Practice Area	Course	Units
Collateral Criminal	Expungement, Reclassification, and Infractions	3
	Debt Collection and creditor harassment	3
Consumer Debt & General Civil	Enforcement of Judgments [including wage and hour]	3
	Name and Gender Change	0.5
	Total	6.5
Family, Children, and Custody	Family Law and Procedure	6
	Adoption	2
	Violence Prevention	2
	Conservatorship/Guardianship	3
	Total	13
Employment & Income Maintenance	Administrative Agency Procedure	3
Housing	Landlord-Tenant <ul style="list-style-type: none"> • Leases/rental agreements • Security deposits • Types of tenancies • Tenant Protections • Housing discrimination and landlord retaliation • Warranty of habitability • Rent control and eviction control • Ground and procedures for nonjudicial termination of tenancies 	10

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Practice Area	Course	Units
	<ul style="list-style-type: none"> • Unlawful detainer procedure • COVID-19 tenant protection laws and tenant assistance (until such laws expire) • Rental assistance programs • Benefits and risks of demanding a jury trial • Small claims court actions 	
	Subsidized Housing and Mobilehomes	
	Lien clearing	1
	Total	11



The State Bar of California

CALIFORNIA PARAPROFESSIONAL PROGRAM WORKING GROUP

Date: August 6, 2021

To: Licensing Subcommittee

From: State Bar Staff

Subject: Practice Area Educational Requirements for the Paraprofessional Program

At its February 26, 2021, meeting, the California Paraprofessional Program Working Group (CPPWG) adopted the Licensing Subcommittee's recommendations for paraprofessional licensing requirements that include, among other requirements, 1,000 hours of practical training completed under attorney supervision, with a minimum of 500 hours in the licensed practice area. Recommendations also included a set of core educational requirements, as well as preliminary subject matter requirements for the family law practice area; educational requirement for the family law practice area were subsequently expanded to include requirements for adoption, violence prevention, and conservatorships and guardianships. Table 1 provides a summary of educational requirements developed to date:

Table 1. Educational Requirements Summary

Practice Area	Course	Units ¹
All Practice Areas	Ethics and Professional Responsibility	3
	Pretrial Discovery and Evidence	3
	Court Procedure	3
	Court Advocacy	3
	Trauma-informed representation	1
	Total	13
Family Law	Family Law and Procedure	6
	Adoption	2
	Violence Prevention	2
	Conservatorship/Guardianship	3
	Total	13

¹ One unit is defined as one hour of classroom instruction and a minimum of two hours of out of class student work each week. Based on a 15-week semester, each unit reflects 45 hours of student engagement; a 3-unit course is equal to 135 hours.

The CPPWG agreed that each practice area subcommittee would provide subject matter-specific requirements for consideration by the Licensing Subcommittee in advance of its recommendation to the full Working Group. To inform the Licensing Subcommittee's deliberations, staff developed preliminary recommendations for educational requirements, for consideration by the practice area subcommittees; these recommendations were benchmarked to the family law requirements, since family law is generally acknowledged to be the most complex of the areas included in the paraprofessional program.

Staff recommendations were distributed to the Collateral Criminal, Consumer Debt & General Civil, Employment & Income Maintenance, and Housing Subcommittees; members of each subcommittee were asked to review the recommendations and provide their feedback. Staff recommendations and subcommittee responses are provided below:

Collateral Criminal

Staff recommendation

Course	Units
Expungement, Reclassification, and Infractions	3

Subcommittee recommendation

The Collateral Criminal Subcommittee agreed with the staff recommendation.

Consumer Debt & General Civil

Staff recommendation

Course	Units
Collections	3
Enforcement of Judgments [including wage and hour]	3
Name and Gender Change	0.5
Total	6.5

Subcommittee recommendation

Responses were not received from all members of the Consumer Debt & General Civil Subcommittee. One member agreed with the recommendation, while another provided the following recommendation:

Course	Units
Debt Collection and creditor harassment	6
Enforcement of Judgments [including wage and hour]	3
Name and Gender Change	0.5
Total	9.5

The recommendation for increased hours and expanded course title was based on concerns that the area of debt collection and creditor harassment was complex, and involved several state and federal consumer protection statutes.

Housing*Staff recommendation*

Course	Units
Landlord-Tenant	4
Lien clearing	1
Total	5

Subcommittee recommendations

While some members of the Housing Subcommittee agreed with staff recommendations, two members provided alternative recommendations, and also specified content for the required coursework.

Recommendation 1

Course	Units
Landlord-Tenant <ul style="list-style-type: none"> • Leases/rental agreements • Security deposits • Types of tenancies • Housing discrimination and landlord retaliation • Warranty of habitability • Rent control and eviction control • Ground and procedures for nonjudicial termination of tenancies • Unlawful detainer procedure • COVID-19 tenant protection laws and tenant assistance (until such laws expire) 	13
Lien clearing	1
Total	14

Recommendation 2

Course	Units
Unlawful Detainer <ul style="list-style-type: none"> • Rent control issues • Habitability • Benefits of demanding a jury trial 	6
Landlord-Tenant <ul style="list-style-type: none"> • Security deposits • Rental assistance programs • Tenant protections • Small claims court actions 	3
Subsidized Housing and Mobilehomes	1
Lien clearing	1
Total	11

Employment & Income Maintenance

Staff recommendation

Course	Units
Administrative Agency Procedure	3

Subcommittee recommendation

The Employment & Income Maintenance Subcommittee did not respond to the staff request for feedback.

At its August 6, 2021, meeting, the Licensing Subcommittee will finalize educational requirements for recommendation to the CPPWG at its August 31 meeting. Members of the practice area subcommittees will be invited to the August 6 Licensing Subcommittee meeting, to present information and answer questions.