

Case No. \_\_\_\_\_

**IN THE SUPREME COURT OF THE STATE OF CALIFORNIA**

**PETITION FOR THE CALIFORNIA SUPREME COURT TO  
REVIEW AND APPROVE PROPOSED CALIFORNIA RULE  
OF COURT 9.45.1 TO ESTABLISH A CALIFORNIA  
COMMUNITY JUSTICE WORKER PROGRAM**

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**PETITION**

1. Petitioners Salena Copeland, Zach Newman, Leigh Ferrin, and Sacha Steinberger are California attorneys in good standing with the State Bar of California. Petitioners have worked within the legal aid community of California for a combined total of more than sixty years.
2. In 2024, Petitioners Copeland and Newman convened the California Community Justice Workers Working Group under the auspices of the Legal Aid Association of California.
3. Petitioners Ferrin and Steinberger served as co-chairs of the Working Group. The Working Group included members from twelve California legal services organizations.
4. The Working Group studied and considered the potential of a community justice worker program to address the access to justice crisis in California by allowing qualified nonlawyers be trained and permitted to offer free legal advice and assistance to clients of California legal services organizations.
5. In January 2025, the Working Group issued a proposal outlining a framework by which California legal services organizations could launch and run community justice worker

programs without fear of violating the ban on the unauthorized practice of law (Cal. Bus. & Prof. Code § 6125).

6. After receiving feedback and comments from a variety of stakeholders, the Working Group revised the proposal and determined to submit a petition to the California Supreme Court to approve a new California Rule of Court 9.45.1 to authorize community justice workers in California.
7. In a time of great legal need, the proposed rule has the potential to greatly increase the reach and impact of California's legal services organizations. For this reason, Petitioners request that the rule be reviewed and approved as soon as possible by this Court.

## PRAYER

Petitioners respectfully request that the Court review and approve proposed California Rule of Court 9.45.1:

### PROPOSED CALIFORNIA RULE OF COURT 9.45.1

#### (a.) Definitions

- (1.) **Authorizing Body** is the entity designated by the California Supreme Court to accept, review, and approve applications from qualified legal services organizations (as defined in subsection (2) below) to implement and run a community justice worker program.
- (2.) **Authorized legal services organization** is an organization qualifying either as a “qualified legal services project” or a “qualified support center” under California Business and Professions Code § 6213 (a) or (b) and which satisfactorily completes the application process and is authorized by the Authorizing Body to implement and run a CJW program under this rule.
- (3.) **Community Justice Worker (“CJW”)** is a person not licensed by the State Bar of California who has satisfied

the training and other relevant requirements as certified by an authorized legal services organization to the State Bar and will engage in the limited practice of law under this rule exclusively for an authorized legal services organization.

**(b.) Authorization of legal services organizations under this Rule.**

- (1.) The Authorizing Body shall develop a process by which legal services organizations can submit an application for approval of a CJW program.
- (2.) Application requirements:
  - (A) The applicant organization shall attest to status as a qualified legal services project or qualified support center under the definition set forth in Cal. Bus. & Prof. Code § 6213 (a) or (b).
  - (B) The applicant organization shall submit a narrative description of the proposed CJW program.
  - (C) The applicant organization shall submit its CJW training plan, detailing any curricular components,

testing, and experiential learning. The training plan must include the following:

- (i.) Training on the California Rules of Professional conduct and ethical legal service provision.
- (ii.) Relevant subject matter and experiential training within the proposed CJW practice area(s) as developed and approved by managing attorneys at the applicant organization.
- (iii.) The process by which the applicant organization shall assess competency and practice readiness of each CJW.

(D) The applicant organization shall submit a plan for gaining informed and written client consent to receive CJW-provided services.

(E) The applicant organization shall submit a plan for ensuring control and security of the organization's client files.

- (F) The applicant organization shall submit proof of malpractice insurance that covers CJWs.
- (G) The applicant organization shall attest to the organization's ability to comply with any reporting requirements.
- (3.) The Authorizing Body shall review each application to launch a CJW program under this rule and ensure that the application sufficiently sets forth the requirements listed above. The Authorizing Body shall then issue authorization for the legal services organization pursuant to this program and communicate that authorization to the State Bar of California.
- (4.) In the case that an authorized legal services organization under this Rule is no longer qualified under Cal. Bus. & Prof. Code §6213 (a) or (b) but wishes to continue operating as an authorized legal services organization under this Rule, then the Authorizing Body should consider and determine whether the organization's CJW program may continue and what requirements to impose to ensure the ongoing quality of the program.

**(c.) Requirements for authorized legal services organizations.**

(1.) Once authorized, the legal services organization must:

(A) Certify each individual CJW to the State Bar once that person has satisfactorily completed the organization's relevant training requirements and submit each CJWs scope of practice, including legal service area(s) and scope of activities.

(B) Ensure ongoing capacity and capability to adequately supervise CJWs according to California Rule of Professional Conduct 5.3.

(C) Report any relevant changes in status, either of the organization or any CJW, including:

(i.) Immediately inform the State Bar if the organization no longer receives IOLTA funding or stops providing approved services.

(ii.) Immediately inform the State Bar when any CJW is no longer eligible for inclusion in this program, whether by resignation, termination, or other reason.

(iii.) Immediately report any known violations of applicable rules by CJWs to the State Bar. Violation may be grounds for termination of CJW status.

(D) Report the following information to the State Bar on an annual basis, to ensure ongoing feedback for continuous program improvement:

(i.) Number of clients served by CJWs through the waiver.

(ii.) Hours worked by CJWs.

(iii.) CJW case outcomes.

(iv.) Post-services survey of clients served by CJWs. The survey will be developed by the external researcher conducting the CJW program evaluation as described in Section

(f).

(v.) Client complaints and resolution of complaints, if any.

(vi.) Certain information on organization's active CJWs, including:

1. Gender
2. Age
3. Race/ethnicity
4. Income level
5. Highest level of education
6. Language capability
7. Does the CJW identify as a member of the client community.

(vii.) Summary of costs of implementing and maintaining the CJW program.

(E) Failure of the authorized legal services organization to comply with these requirements may result in audit, review, and potential impacts on funding for the organization.

**(d.) Requirements for community justice workers.**

(1.) CJWs must meet the following minimum requirements:

- (A) Be at least eighteen (18) years of age.
- (B) Have a high school diploma or the equivalent.

- (C) Meet the authorized legal service organization's requirements for employment or volunteer status as applicable.
- (2.) A CJW is not permitted to perform any activities constituting the practice of law outside of the scope of certification submitted by the authorized legal services organization to the State Bar. Any activities constituting the practice of law outside the scope of the certification are subject to enforcement under Cal. Bus. & Prof. Code §§ 6125 *et seq.*
- (3.) A CJW is not permitted to charge any fees, including fees structured on a contingent or percentage basis, or for a referral, for legal services provided under this program.
- (4.) A CJW's authorization to provide the services outlined in the certification is contingent upon affiliation with an authorized legal services organization. Should that affiliation cease for any reason, the CJW is no longer certified to provide the relevant legal services and will be subject to enforcement under Cal. Bus. & Prof. Code §§ 6125 *et seq.* should the CJW continue to provide such

services. However, a CJW may transfer affiliation as contemplated in Section (e) below.

- (5.) No disbarred or suspended legal practitioner (attorney or person otherwise once authorized to practice law), whether disciplined in California or any other jurisdiction, may be certified as a CJW.
- (6.) Each CJW shall be subject to the California Rules of Professional Conduct, California Rules of Court, and all other relevant statutes and rules.

**(e.) Requirements for CJWs transferring from one authorized legal services organization to another.**

- (1.) If a CJW wishes to transfer affiliation from one authorized legal services organization to another, the organization to which the CJW is transferring must independently determine that the CJW is qualified to competently provide services within that organization's program and then certify the CJW to the State Bar as described in Section (c).

(2.) The transferring CJW cannot provide services in the transferee legal services organization until that certification has been accepted by the State Bar.

**(f.) Role of State Bar of California.**

(1.) The State Bar shall develop a simple process by which authorized legal services organizations can certify individual CJWs to the State Bar for inclusion in the organization's roster of CJWs. Such certification should include:

(A) The name of the CJW; and

(B) The scope of practice (legal service area(s) and scope of activities of the CJW).

(2.) The State Bar shall maintain a roster of authorized legal services organizations, and their active CJWs, including their scope of practice, that shall be posted on its website;

(3.) The State Bar shall develop a process by which it promptly communicates the roster of authorized legal services organizations and their CJWs to any other relevant authorities, including those authorities

responsible for enforcement of Cal. Bus. & Prof. Code §§  
6125 *et seq.*

- (4.) The State Bar shall report to the Legislature and Supreme Court all complaints received by the State Bar against CJWs, the nature of the complaint, and the resolution on an annual basis.

**(g.) Evaluation**

- (1.) The program shall be evaluated within five years of the first authorization of a legal services organization's CJW program.
- (2.) The State Bar will select an outside evaluator to conduct the evaluation, subject to the approval of the Supreme Court.
- (3.) The evaluation will seek to understand the impact of the CJW program on access to justice for underserved communities.

**VERIFICATION**

I have reviewed the above Petition and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: December 11, 2025

*Salena Copeland*

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Salena Copeland

*Zach Newman*

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*Leigh Ferrin*

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*Sacha Steinberger*

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Sacha Steinberger

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## MEMORANDUM OF POINTS AND AUTHORITIES

### I. INTRODUCTION

The California Community Justice Worker Working Group (“CJW Working Group”) respectfully requests that the Supreme Court review and approve proposed California Rule of Court 9.45.1 (“Rule 9.45.1”) to be included within division 4 of title 9 of the California Rules of Court.

The proposed Rule 9.45.1 establishes a community justice worker (“CJW”) program for the State of California. The rule will allow California legal services organizations authorized under the program to train and certify qualified nonlawyer CJWs to provide limited legal services, including legal advice and other activities that may be defined as the practice of law, to clients who otherwise qualify for legal services from the organization.

Authorization in the program allows these organizations and their certified CJWs to provide these services without violating Cal. Bus. & Prof. Code § 6125, California’s prohibition on the unauthorized practice of law (“UPL”) by those who are not licensees of the State Bar of California. The ability of CJWs to provide legal services under the umbrella of this program is

controlled by and overseen by the legal services organizations and limited to the scope of activities approved by the supervising organization. Through this simple and limited UPL waiver, participating legal services organizations will be able to extend the reach and impact of their services in their communities.

The proposed rule was developed over the course of the past year, beginning with the establishment of the CJW Working Group by the Legal Aid Association of California (“LAAC”) in July 2024. LAAC formed the CJW Working Group in consideration of the rapid growth of CJW programs across the country and in recognition that such a program could increase the reach and impact of legal aid in California. The CJW Working Group considered the issue, learned about other programs in other states, heard from thought leaders, heard from each other about current use of nonlawyer staff and volunteers, and discussed multiple frameworks for launching a CJW program in California. Key questions the CJW Working Group addressed included:

- Is a CJW program that includes a limited waiver of the ban on the unauthorized practice of law by nonlawyers

possible in California? Is such a program something we feel is necessary and appropriate?

- Considering the urgency of the need for legal help among poor Californians, a need that far outstrips the capacity of California legal services organizations, how can we create a framework for CJWs that can scale—both within and across organizations?
- Considering the size and diversity of California, and the unique local circumstances of particular communities, how can we create a program that is also responsive to local needs, organizations, and customs?
- How can we ensure that CJWs act in good faith and provide quality legal services?
- How can we create a CJW framework efficiently and without significant cost?

The CJW Working Group released an initial proposal in January 2025. (Appendix of Exhibits (“AE”), Ex. 2 [Original CJW Proposal].) The proposal presented a framework through which California legal service organizations could gain approval to develop and launch their own programs to educate and train CJWs

to provide limited legal services. The Working Group disseminated the proposal to stakeholders across the state, presented to multiple groups, and engaged in many conversations to gather input. The feedback was generally supportive of the proposal. The CJW Working Group considered specific suggestions in revising the proposal for submission to this Court as a Petition.

Accordingly, this Petition seeks this Court's review and approval of proposed Rule 9.45.1.

## **II. AUTHORITY REQUIRING SUPREME COURT REVIEW AND APPROVAL OF THE PROPOSED RULE**

The California Supreme Court holds the inherent power to determine who is qualified to practice law in California. Cal. R. of Ct. 9.3. The State Bar of California serves as the administrative arm of the Court to effectuate that power. *See Merco Constr. Eng'rs, Inc. v. Mun. Ct.*, 21 Cal.3d 724, 728-29 (1978). The California Legislature also plays a significant role in the regulation of legal services and oversight of the State Bar through the State Bar Act. *See* Cal. Bus. & Prof. Code §§ 6000 *et seq.* The California Supreme Court has found that the legislature may enact rules and regulations related to the practice of law, including admission to

practice law, but if those rules and regulations conflict with those imposed by the Supreme Court, then “the legislative enactment must give way.” *Merco Constr. Eng’rs, Inc.*, 21 Cal.3d at 729. The Court and the Legislature work together to dictate the regulation of the practice of law, but ultimate authority rests with the Court. *In re Att’y Discipline Sys.*, 19 Cal.4th 582, 598-599, 602 (1998).

This relationship is expressed through the State Bar Act and the California Rules of Court. Section 6125 of the State Bar Act states: “No person shall practice law in California unless the person is an active licensee of the State Bar.” Cal. Bus. & Prof. Code § 6125. Section 6126, however, recognizes that certain nonlicensees may be authorized by other statutes or rules to perform activities constituting the practice of law. Cal. Bus. & Prof. Code § 6126 (a) . The Section, which lays out the consequences for unauthorized practice, states:

“Any person advertising or holding himself or herself out as practicing or entitled to practice law or otherwise practicing law who is not an active licensee of the State Bar, or otherwise authorized pursuant to statute or court rule to practice law in this state at the time of doing so, is guilty of a misdemeanor....” *Id.*

This language provides safe harbor to a range of people authorized to practice law by statute or rule who are not licensees of the bar, including lay representatives who may represent people before state and federal agencies and people authorized by the Supreme Court through its rules. Title 9, Division 4 of the California Rules of Court concerns “Appearances and Practice by Individuals Who Are Not Licensees of the State Bar of California.” Cal. R. of Ct. 9.4. This section contains language permitting the practice of law for certain groups of people, including military spouses, law students, and out-of-state legal aid attorneys and arbitration counsel, who are not licensees of the State Bar and thus would otherwise be subject to the proscription of Cal. Bus. & Prof. Code § 6125. In this manner, Sections 6125 and 6126 establish legislative authority over who may and may not practice law in California but build in deference to the Court (as well as other state and federal authorities).

This Petition seeks Court review and approval for a program that would create a new group of nonlicensees who are permitted to perform limited legal practice activities under the supervision of licensed attorneys and thus falls within the Court’s inherent

authority over the practice of law. The Court's inherent authority to regulate the practice of law also gives the Court the authority to consider this Petition as a direct submission from the California CJW Working Group.

### III. BACKGROUND

#### a. Access to Justice is a Continuing and Critical Challenge in California.

Access to justice is a cornerstone of our legal system, encapsulated by the four words inscribed on the façade of the United States Supreme Court building: equal justice under law. Unfortunately, these words do not reflect the reality of our American legal system in practice. Most Americans do not have any access to justice at all. The statistics are shocking. Americans experience an estimated at least 150 million new civil justice problems annually. *See* Rebecca L. Sandefur & James Teufel, *Assessing America's Access to Civil Justice Crisis*, 11 U.C. Irvine L. Rev. 753, 765 (2020). At least 120 million of those problems go unresolved. *See* Inst. for the Advancement of the Am. Legal Sys. & Hague Inst. for Innovation of L., *Just. Needs and Satisfaction in the U.S. of Am.* 235 (2021). Low-income people do not receive any or enough legal assistance for 92 percent of their legal

problems. Legal Services Corp., *The Justice Gap: The Unmet Civil Legal Needs of Low-Income Americans* 8 (2022).

In state courts, which handle 98 percent of civil disputes, lawyers are becoming an anomaly. In 75 percent of cases, at least one party is self-represented. Paula Hannaford-Agor, et al., Nat’l Ctr. for State Cts., *Civil Justice Initiative: The Landscape of Civil Litig. in State Cts.* 31 (2015). In fact, the rates of self-representation may be above 90 percent on many dockets. See Jessica Steinberg, *Demand Side Reform in the Poor People’s Ct.*, 47 Conn. L. Rev. 741, 750 (2015). As one judge told a packed courtroom, “This courtroom is like an emergency room.” Anna Carpenter, et al., *America’s Lawyerless Cts.: Legal Scholars Work to Recommend Large-Scale Changes in Lawyerless Civil Cts.*, 48 No. 4 L. Prac. 48 (Jul./Aug. 2022). Of course, these figures only capture the small fraction who make it to court—many more struggle with serious legal problems outside the formal judicial process. See Rebecca Sandefur, *What We Know, and Need to Know, About the Legal Needs of the Public*, 67 S. Carolina L. Rev. 443, 447-449 (2015). These individuals often navigate complex and life-altering issues—affecting their family, safety, housing, employment, and finances—without any legal guidance at all.

California is significantly impacted by this crisis, despite being the second largest legal economy in the United States worth \$57.8 billion and employing over 94,000 lawyers. State Bar of Cal., *2024 Cal. Justice Gap Study* 53 (June 2025) (hereinafter *2024 Cal. Justice Gap Study*). The State Bar’s 2024 Justice Gap Study found that Californians do not receive any or enough legal help for 85 percent of their problems. *Id.* at 26. One quarter of all households experienced a civil legal problem in the previous year which substantially affected their lives but only three in 10 sought legal help. *Id.* at 19. Seventy-three percent of low-income California households experienced at least one civil legal problem over the study year and one in five experienced 10 or more. *Id.* at 98. These households receive little or no legal help for the majority of their problems. *Id.* And, unresolved legal issues often result in severe hardship to individuals and negative consequences to society at large.<sup>1</sup>

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<sup>1</sup> See Pascoe Pleasence et al., *Mounting Problems: Further Evidence of the Social, Economic and Health Consequences of Civil Justice Problems*, in *Transforming Lives: Law and Social Process* 67, 79, 83-85 (2006); Deborah L. Rhode & Scott L. Cummings, *Access to Justice: Looking Back, Thinking Ahead*, 30 *Geo. J. Legal Ethics* 485, 488 (2017). For example, eviction can have serious social and health consequences, including interrupted employment, worsened physical health, and increased rates of mental health disorders such as

**b. Traditional Approaches to Increasing Access to Justice are Insufficient.**

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depression and suicide. The associations between eviction and child health have been well documented, including adverse birth outcomes, increased rates of food insecurity among young children, and poor physical and mental health in adolescents and young adults. These consequences create a vicious circle that results in more housing instability and economic challenges. *See* Dana Gopelrud & Craig Pollack, *Prevalence and Impact of Evictions*, Evidence Matters, United States Dep’t of Hous. and Urb. Dev. (2021), <https://archives.huduser.gov/portal/periodicals/em/Summer21/highlight2.html>. Eviction is also associated with premature death. Simply being threatened with an eviction—even when that case did not result in an eviction judgment—was associated with a 19% increase in mortality. Receiving an eviction judgment was associated with a 40% increase in the risk of death. *See* Nick Graetz, *et al.*, *Rising Rents and Evictions Linked to Premature Death*, Eviction Lab, <https://evictionlab.org/rising-rents-and-evictions-linked-to-premature-death/>. In the context of family law, failure to address unmet legal needs may put at lives at risk through domestic violence, and result in loss of child custody by deserving parents, children left in physically dangerous, psychologically traumatic, or financially inadequate family settings, and related problems. *See* Deborah L. Rhode, *Access to Justice* 3 (2004). Similarly, the long-term effects of domestic abuse can significantly impact a victim’s or witness’s life. Domestic violence significantly reduces educational achievements, self-assessed health levels, and life satisfaction; and increases mental health risks. *See* Liu Bo and Yating Peng, *Long-Term Impact of Domestic Violence on Individuals-An Empirical Study Based on Education, Health and Life Satisfaction*, Behav. Scis. (2023). Moreover, legal debt collection practices devastate vulnerable individuals by trapping them in a cycle of mounting fees, wage garnishment, and court judgments. *See* Andy Newman, *They Need Legal Advice on Debts. Should It Have to Come From Lawyers?*, N.Y. Times (Jan. 25, 2022).

Traditional approaches to addressing the access to justice crisis—like increasing the overall number of lawyers or mandating pro bono service—have proven ineffective. The number of lawyers has increased in both absolute terms and proportional to the American population and yet the numbers of self-represented people continue to grow.<sup>2</sup> And, while many lawyers are dedicated to pro bono work, only a small portion of hours across the profession are committed to it.

Gillian K. Hadfield and Deborah L. Rhode, *How to Regulate Legal Services to Promote Access, Innovation, and the Quality of Lawyering*, 67 *Hastings L. J.* 1191, 1193 (2016).

Our primary bulwark against this overwhelming tide of legal need are the legal services organizations, the nonprofits whose mission is to provide legal help to the most vulnerable citizens. California has well over one hundred legal services organizations helping low-income people across the state in an extraordinary diversity of ways and with

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<sup>2</sup> The population of U.S. lawyers has grown by 400% since 1970. In 1970, the number of lawyers in the United States was 326,842. In 2022, the number is 1,327,010. Am. Bar Assoc., *Profile of the Legal Profession* (2022). Furthermore, the United States had one lawyer for every 695 people in 1951 and one lawyer for every 252 people in 2005. Clara N. Carson & Jeeyoon Park, Am. Bar Found., *The Lawyer Statistical Rep.: The U.S. Legal Pro. in 2005*, 2 (2005).

incredible innovation and dedication.<sup>3</sup> Though they offer thousands of hours of free legal services, these organizations are simply unable to meet the need. Legal Services Corporation-funded organizations receive such limited funding that they must turn away almost half of the people who come to them seeking help. Legal Services Corp., *The Justice Gap: The Unmet Civil Legal Needs of Low-Income Americans* 9 (2022). Moreover, limited resources prevent California’s legal aid attorneys from fully resolving at least one-third of the problems presented to them. Rocio Avalos, et al., *Cal. Justice Gap Study Exec. Rep.* 14 (2019).

California has worked to address the justice gap. Funding for California legal services organizations increased by over \$100 million between 2019 and 2024. *2024 Cal. Justice Gap Study*, at 17, 98. Legal services organizations are working to grow their staff and reach more people, including through self-help clinics and hotlines and increasing

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<sup>3</sup> In 2025, there are 115 organizations in California qualified as “IOLTA-funded nonprofits” and receiving funding from the State Bar. *New to Legal Services?*, Legal Aid Association of California, <https://www.laaonline.org/coordination/new-to-legal-services/#:~:text=Legal%20aid%20organizations%20in%20California,How%20is%20your%20organization%20funded> (last visited Sept. 29, 2025). There are many more organizations which provide legal services but do not qualify for IOLTA funding.

use of nonlawyers. *Id.* at 99-100. Despite hiring and retention difficulties, the ratio of attorneys to those in need has improved from 1 attorney for 7,466 indigent Californians to one attorney for every 5,338. *Id.* at 98.

But demand continues to outpace capacity. Attorney recruitment and retention is a constant and critical challenge for legal services organizations. A 2010 survey by LAAC revealed that over one-third of legal aid attorneys left within three years of being hired. By 2019, this trend worsened, with one-third of attorneys leaving within just two years. Legal Aid Ass'n of Cal., *Justice at Risk: More Support Needed for Legal Aid Att'ys* 2-3, 39 (2020).

In the current political climate, continued federal support for legal services organizations is uncertain. John Grisham, *Trump's Cuts to Legal Aid Would Hurt Veterans, Children, and Families*, USA Today (Jul. 30, 2025, 5:07am). The Legal Services Corporation currently provides funding to 11 California legal services organizations with a total of over \$55 million in grants in 2025. Legal Services Corporation, *California State Profile*, <https://www.lsc.gov/grants/our-grantees/california-state-profile> (last visited Sept. 5, 2025). Should

federal funding be reduced or cut, legal services organizations will have to find ways to do more with less.

**c. Community Justice Workers: An Emerging Movement to Increase Legal Aid’s Impact.**

Recognizing the seriousness of the access to justice crisis, jurisdictions across the United States are exploring new avenues to expand access to justice. *See* Lucy Ricca and Eric Helland, RAND Civil Justice Institute, *Conference on Access to Justice in California 1* (2024); Rebecca L. Sandefur & Lucy Ricca, *Outside the Box: How States Are Increasing Access to Justice Through Evidence-Based Regulation of the Practice of Law*, Vol. 108 *Judicature* 58 (2024). Specifically, state supreme courts across the country are taking a critical look at the rules which have limited the wide range of activities constituting the practice of law to licensed lawyers. Multiple jurisdictions have moved forward with authorizing new providers of legal help who can work alongside lawyers to serve more people.<sup>4</sup>

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<sup>4</sup> Jurisdictions which have implemented a range reforms include Washington, Oregon, Arizona, Utah, Minnesota, New Hampshire, South Carolina, Hawaii, and Alaska. Other states, including Texas, New Mexico, Virginia, North Carolina, Michigan, New York, Maryland, and Washington, DC, are considering reforms. *See generally* David Freeman Engstrom et al., Deborah L. Rhode Center

One such solution is the Community Justice Worker program, where trained nonlawyers provide limited legal services to individuals facing civil legal issues, such as debt collection or eviction. Unlike legal paraprofessional programs in other states, which require a lengthy state-run licensure process to avoid violating unauthorized practice of law rules, CJWs receive a simple waiver that provides a limited exemption to these regulations as long as they operate under the supervision of an approved legal aid organization. CJWs might be nonlawyer staff of the legal aid organization or they might be staffers or volunteers with non-legal community-based organizations (CBOs). *See* Cayley Balser & Stacy Rupprecht Jane, Inst. for the Advancement of the Am. Legal Sys., *The Diverse Landscape of Community-Based Just. Workers*, <https://iaals.du.edu/blog/diverse-landscape-community-based-justice-workers> (Feb. 22, 2024). Generally, CJWs complete a simple certification program offered by the legal aid organization and are then certified to the relevant regulatory authority (state supreme court or state bar) as having passed the relevant requirements. *Id.*

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on the Legal Profession, *Legal Innovation After Reform: Five Years of Data on Regulatory Change* 6 (Jun. 2025).

While this approach may seem novel, individuals without law licenses have long been authorized to provide limited assistance in immigration matters, Tribal courts, and for those incarcerated in prisons and jails, as well as before various state and federal administrative agencies. *See* Matthew Burnett and Rebecca L. Sandefur, *A People-Centered Approach to Designing and Evaluating Community Justice Worker Programs in the United States*, 51 *Fordham Urb. L. J.* 1509 (2024). Indeed, as far back as 1960, the United States Supreme Court, in *Sperry v. Florida*, a case concerning a nonlawyer patent practitioner, noted that nonlawyers had practiced before the Patent Office since its establishment in 1836 and the Office had stated that “there is no significant difference between lawyers and nonlawyers, either with respect to their ability to handle the work or with respect to their ethical conduct.” *Sperry v. Florida*, 373 U.S. 379, 402 (1963).

For more than half a century, researchers have studied nonlawyer assistance to gain a better empirical understanding of the benefits and risks. (AE, Ex. 3 [Overview of empirical research on nonlawyer-provided legal assistance].) This body of research supports the following conclusions:

1. Consumers want legal help, including from nonlawyers.<sup>5</sup>
2. Qualified nonlawyers are competent and effective at providing help.<sup>6</sup>

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<sup>5</sup> See, e.g., Rebecca L. Sandefur, *Legal Advice from Nonlawyers: Consumer Demand, Provider Quality, and Public Harms*, 16 Stan. J. Civ. Rts. & Civ. Liberties 283, 289–97 (2020), Natalie Anne Knowlton, Inst. for the Advancement of the Am. Legal Sys., *Cases Without Counsel: Our Recommendations After Listening to the Litigants* 29 (2016); Cayley Balsler et al., *Leveraging Unauthorized Practice of Law Reform to Advance Access to Justice*, 18 L. J. for Soc. Justice 66, 97–100 (2024).

<sup>6</sup> See Nora Freeman Engstrom & Natalie Anne Knowlton, *Unauthorized Practice: Assessing Available Evidence*, 67 Bos. Coll. L. Rev. (forthcoming April 2026) (reviewing and summarizing the best evidence on nonlawyer provision of legal services). See also Mary E. McClymont, Geo. Just. Lab, *Nonlawyer Navigators in State Courts: An Emerging Consensus* (2019); Rebecca L. Sandefur & Thomas M. Clarke, Am. B. Found., Nat’l Ctr. for State Cts. & Pub. Welfare Found., *Roles Beyond Lawyers: Evaluation of the New York City Court Navigators Program* (2016); David Kraft et al., *Five Year Review of Paralegal Regulation: Research Findings. Final Report for the Law Society of Upper Canada* 6 (2012); Herbert M. Kritzer, *Legal Advocacy: Lawyers and Nonlawyers at Work* (1998); Jessica K. Steinberg et al., *Judges and the Deregulation of the Lawyer’s Monopoly*, 89 Fordham L. Rev. 1315 (2021); Deborah L. Rhode, *What We Know and Need to Know About the Delivery of Legal Services by Nonlawyers*, 67 S.C. L. Rev. 429, (2016); Richard Moorhead et al., *Contesting Professionalism: Legal Aid and Nonlawyers in England and Wales*, 37 Law & Soc’y Rev. 765, 785–87 (2003); Nora Freeman Engstrom, *Effective Deregulation: A Look Under Hood of State Civil Courts*, Jotwell, Oct. 31, 2022.

The evidence should open new pathways to addressing the justice crisis. Lawyers remain the central legal practitioners but trained CJWs can help lawyers to serve more people more efficiently. CJWs can serve as an important part of the legal ecosystem, enabling communities to identify and vindicate their legal rights and prevent avoidable harm from having devastating impacts.

Several states have successfully created and implemented programs allowing limited legal practice by CJWs.<sup>7</sup> In 2022, the Alaska Supreme Court approved a waiver of unauthorized practice of law restrictions, allowing the Alaska Legal Services Corporation to train and supervise community justice workers in Alaska’s rural and remote communities, many of which qualify as legal deserts. Alaska S. Ct., Order No. 1994 (2022). Also in 2022, the Delaware Supreme Court approved a rule authorizing “Qualified Tenant Advocates” to represent tenants in eviction cases, correcting a previous inequality where only landlords could employ non-lawyers. Del. S. Ct. R. 57.1

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<sup>7</sup> Additional jurisdictions are considering authorizing CJW programs, including Washington D.C. and Illinois. *See District of Columbia Courts Civil Legal Regulatory Reform Task Force, Report* (Jul. 2025); Press Release, Illinois Courts, Illinois Supreme Court Approves Vision for New Community Justice Worker Program (undated).

(2022). In Arizona, Domestic Violence Legal Advocates and Housing Stability Legal Advocates have been authorized by court order to provide legal advice regarding housing matters, orders of protection, and family law. Ariz. S. Ct., Admin. Order No. 2024-35 (2024); Ariz. S. Ct., Admin. Order No. 2024-24 (2024). The Arizona Supreme Court recently codified CJWs in the Arizona Code of Judicial Administration, expanding the areas in which CJWs may offer services and creating multiple pathways to authorization. Ariz. Code of Jud. Admin. §7-211 (2025). In Utah, CJW programs include domestic violence advocates, housing stability advocates, and medical debt advocates. Utah S. Ct., In re: Application of Comty. Just. Advoc. of Utah, Amend. Order for Authorization to Prac. L. (2025). South Carolina's justice worker program is under the auspices of that state's NAACP and is focused on eviction assistance and defense. *In re: S. Carolina NAACP Hous. Advoc. Program*, 897 S.E.2d 691 (2024). Hawaii's Rural Paternity Advocacy Pilot Project allows in-court assistance in a pilot family court for cases involving issues of paternity, visitation, and child custody. Hawaii S. Ct., Order Establishing a Rural Paternity Advoc. Pilot Project in the Third Cir. (2023). And, in Texas, the Supreme Court has issued preliminary

approval of rules authorizing CJWs (called Licensed Court-Access Assistants). S. Ct. of Texas, Preliminary Approval of Rules Governing Licensed Legal Paraprofessionals and Licensed Court-Access Assistants, Misc. Docket No. 24-9050 (Aug. 6, 2024).

Although it is still early days for these programs, initial data are promising. Alaska’s program, which is the largest and about which we have the most information, has had remarkable success. Indeed, the program enabled Alaska Legal Services Corporation (“ALSC”), the sponsoring legal organization) was able to double the overall number of clients assisted from 2022 to 2023. Email from Sarah Carver, Co-Director, ALSC Community Justice Worker Resource Center to Lucy Ricca (Sept. 3, 2025) (on file with petitioners). As of September 2025, ALSC oversees 214 CJWs. *Id.* Seven of those are staff at ALSC; the remainder are ALSC volunteers who are either volunteers or staff at community-based organizations or government entities or are private citizens. *Id.* Between December 2021 and March 2025, CJWs were involved in 1,848 cases. *Id.* Between 2023 and September 2025, one in five ALSC cases included at least one CJW. *Id.*

Alaska CJWs primarily practice in the areas of public benefits, the highest area of need in that state. CJWs are 100 percent successful

at resolving delays in public benefits and CJW cases resulted in direct SNAP benefits to clients totaling \$23.7 million. *Id.* See also Am. Bar. Found., *Research Brief: Analysis of the Social and Economic Impact of the Alaska Community Justice Worker Program (2021-2025)*, at 2 (2025). CJWs are also writing wills for ALSC clients, helping to reduce fractionalization of Restricted Native property in rural Alaska among other benefits. *Id.*

Utah's domestic violence advocate program, although smaller in size, has also had a positive impact. Between 2021 and 2025, the program served 536 unique clients, 76 percent in rural or frontier counties. Email from Hayley Cousins, Executive Director, Community Justice Advocates of Utah, to Lucy Ricca (Sept. 22, 2025) (on file with petitioners). In the closed cases with a known outcome, 68 percent pursued a civil protective order or stalking injunction. *Id.* Of those, 91 percent received an *ex parte* order. *Id.* Of those who received an *ex parte* order and the final outcome is known, 67 percent had the permanent order entered, 10 percent had the permanent order denied, and 23 percent chose to dismiss their order. *Id.* This success

rate is nearly double the statewide average.<sup>8</sup> Email from Hayley Cousins to Lucy Ricca (Sept. 30, 2024) (on file with petitioners).

Recognizing the potential of these community-driven reforms, both the Conference of Chief Justices / Conference of State Court Administrators and the American Bar Association have passed resolutions encouraging states to study and consider the possibility of implementing justice worker programs to increase access to legal help. Conf. of Chief Justices and Conf. of State Ct. Adm'rs, Res. 1-2025: In Support of Exploring Access to Just. Through Authorized Just. Practitioner Programs (Jul. 30, 2025); Am. Bar. Assoc., Res. 605 (2025).

**d. Community Justice Workers in California.**

Community justice workers can be a key part of solving the justice crisis in California. Indeed, many of our legal services organizations already rely on justice workers to provide key connections with communities, legal information, and referrals back to legal aid. For example, Stay Housed LA is a broad partnership

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<sup>8</sup> The referenced statewide average includes both lawyer represented and self-represented parties. Email from Hayley Cousins to Lucy Ricca (Sept. 30, 2024) (on file with petitioners).

between government, legal aid organizations, and community-based organizations in Los Angeles. Stay Housed LA,

<https://www.stayhousedla.org/about> (last visited Sept. 2, 2025).

Volunteers and staffers in the community-based organizations provide legal information and referrals to the legal aid partners for Los

Angelenos facing housing insecurity. California Rural Legal

Assistance uses community workers in their Rural Justice Unit to

perform intake and triage of clients. *Community Worker, Rural Justice*

*Unit*, California Rural Legal Assistance,

<https://crla.org/careers/community-worker-rural-justice-unit-rju> (last

visited Sept. 5, 2025). In Northern California, Legal Link works

across a range of community-based organizations, training their

staffers and volunteers to provide “Legal First Aid” by surfacing and

identifying legal problems and assisting people with finding legal

services. *Our Mission and Model*, Legal Link,

<https://legallink.org/our-mission-model/> (last visited Sept. 2, 2025).

But the impact could be so much more significant. The ban on nonlawyers providing any legal advice or assistance and the severe penalties for the performing of or abetting UPL prevent legal aid organizations from leveraging their nonlawyer staff and volunteers to

serve more people who need simple legal services. Legal aid stands ready to train and deploy supervised CJWs to help more people reach just resolutions to their problems. By allowing CJWs to perform activities such as providing simple legal advice to someone who has just received an unlawful detainer complaint or assisting another with answering a debt collection complaint or advising a survivor on how to file for an order of protection, our legal aid organizations can increase their impact in vulnerable communities, drive better outcomes for those we seek to serve, and build trust with our community partners.

In 2024, LAAC, with financial support from the State Bar of California, formed the CJW Working Group to consider the CJW programs being rolled out across different jurisdictions and whether and how such a program might be implemented in California. (AE, Ex. 1 [CJW Working Group Roster].) The members of the CJW Working Group were leaders of the legal aid community in California. Meeting over the course of six months, the Group discussed how their organizations work with community-based organizations and how they currently leverage nonlawyer staff, volunteers, and partners to try to help more people. The CJW Working Group discussed how they

might build a CJW program using a UPL safe harbor, allowing nonlawyers to give legal advice and help people navigate the civil justice system successfully. The CJW Working Group also heard from thought leaders and studied different CJW programs from across the country.

The CJW Working Group released an initial proposal publicly in January 2025. (AE, Ex. 2.) The group then spent the first eight months of 2025 presenting the proposal to many different stakeholder groups across the state. The feedback was generally supportive, and many helpful comments and suggestions were made. The CJW Working Group is drafting a revised proposal incorporating that feedback and has distilled the appropriate elements of the revised proposal into this Petition and Proposed Rule 9.45.1.

Proposed Rule 9.45.1 establishes a framework for individual California legal aid organizations to seek approval to develop and deploy programs in their communities that allow supervised CJWs to offer simple legal services, including specific legal advice and assistance, in core areas of need. The framework recognizes the expertise legal aid organizations have with their communities and their legal needs and seeks to allow each organization the flexibility to

develop programs that respond to those needs. In this way, the framework allows for variability among programs, including in legal areas served, status of justice worker (whether internal employee or volunteer from an outside community-based organization), training, and range of activities. CJWs are not independently licensed, can only serve clients of the legal aid organization, and cannot charge any fees for their work. The legal aid organizations themselves are responsible for the work performed by the CJWs and must hold malpractice insurance covering the CJWs. Proposed Rule 9.45.1 is intentionally simple, leveraging already existing regulatory structures and provider organizations to ensure minimal expense and maximal scale and sustainability. The CJW Working Group believes this Proposed Rule outlines a path for California to move forward to respond to the urgent access to justice crisis, simply by allowing trusted providers to deploy justice workers at scale and in more impactful ways. The Proposed Rule reflects the legal services community's considered recommendation for CJWs in California.

#### IV. PROPOSED CALIFORNIA RULE OF COURT 9.45.1

The proposed rule, set forth in full above, is comprised of seven sections.

**Section (a)** sets forth the **definitions** applicable to the rule as follows:

- (1.) **Authorizing Body** is the entity designated by the California Supreme Court to accept, review, and approve applications from qualified legal services organizations (as defined in subsection (2) below) to implement and run a community justice worker program.
- (2.) **Authorized legal services organization** is an organization qualifying either as a “qualified legal services project” or a “qualified support center” under California Business and Professions Code § 6213 (a) or (b) and which satisfactorily completes the application process and is authorized by the Authorizing Body to implement and run a CJW program under this rule.<sup>9</sup>

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<sup>9</sup> Cal. Bus & Prof. Code § 6213 (a) and (b) establish the definitions of organizations which may receive IOLTA funds as follows:

(a) “Qualified legal service project” means either of the following:

(3.) **Community Justice Worker (“CJW”)** is a person not licensed by the State Bar of California who has satisfied the training and other relevant requirements as certified by an authorized legal services organization to the State Bar and will engage in the limited practice of law under

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(1) A nonprofit project incorporated and operated exclusively in California that provides as its primary purpose and function civil legal services without charge to indigent persons and that has quality control procedures approved by the State Bar of California.

(2) A program operated exclusively in California by a nonprofit law school accredited by the State Bar of California that meets the requirements of subparagraphs (A) and (B).

(A) The program shall have operated for at least two years at a cost of at least twenty thousand dollars (\$20,000) per year as an identifiable law school unit with a primary purpose and function of providing civil legal services without charge to indigent persons.

(B) The program shall have quality control procedures approved by the State Bar of California.

(b) “Qualified support center” means an incorporated nonprofit legal services center that has as its primary purpose and function the provision of legal training, legal technical assistance, or advocacy support for civil legal services without charge and which actually provides through an office in California a significant level of legal training, legal technical assistance, or advocacy support without charge to qualified legal services projects on a statewide basis in California.

this rule exclusively for an authorized legal services organization.

The CJW Working Group suggests that the Legal Services Trust Fund Commission (“LSTF Commission”) is the appropriate entity to serve as the Authorizing Body for the California CJW program. The Legislature created the LSTF Commission to administer funds set aside “to expand the availability and improve the quality of existing free legal services in civil matters to indigent persons, and to initiate new programs that will provide services to them.” Cal. Bus. and Prof. Code § 6210. The LSTF Commission includes members from both the judicial and legislative branches in California and administers the significant oversight and monitoring of legal services organizations receiving IOLTA funds. These are the same organizations that will be eligible for approval to launch CJW programs under this rule. Thus, the LSTF Commission is well placed, and well-funded, to also administer the review and approval process for CJW programs, a process which the CJW Working Group has designed as to align as closely as possible with existing IOLTA review and monitoring.

However, it seems likely that a statutory change is required to ensure that the LSTF Commission can serve as the Authorizing Body

for this program. The CJW Working Group will be moving forward to seek this legislative change alongside this proposed rule change. Should the Legislature fail to authorize the LSTF Commission to perform the proposed role, the Court has the discretion, as the primary regulator of the practice of law, to identify or create another entity to serve as the Authorizing Body.

Authorized legal services organizations are defined by reference to the existing definition in California Business and Professions Code § 6123 and include legal services nonprofits, law school programs, and support centers which have satisfied the LSTF Commission's intensive IOLTA process. This will allow significant scaling of CJW programs while also relying on the existing intensive review and oversight of the IOLTA qualification process.

**Section (b)** outlines the **application process** for organizations interested in launching CJW programs under this rule.

- (1.) The Authorizing Body shall serve as the authorizing body for legal services organizations seeking to certify CJWs under this program. The Authorizing Body shall develop a process by which legal services organizations

can submit an application for approval of a CJW program.

(2.) Application requirements:

(A) The applicant organization shall attest to status as a qualified legal services project or qualified support center under the definition set forth in Cal. Bus. & Prof. Code § 6213 (a) or (b).

(B) The applicant organization shall submit a narrative description of the proposed CJW program.

(C) The applicant organization shall submit its CJW training plan, detailing any curricular components, testing, and experiential learning. The training plan must include the following:

(i.) Training on the California Rules of Professional conduct and ethical legal service provision.

(ii.) Relevant subject matter and experiential training within the proposed CJW practice area(s) as developed and approved by

managing attorneys at the applicant organization.

(iii.) The process by which the applicant organization shall assess competency and practice readiness of each CJW.

(D) The applicant organization shall submit a plan for gaining informed and written client consent to receive CJW-provided services.

(E) The applicant organization shall submit a plan for ensuring control and security of the organization's client files.

(F) The applicant organization shall submit proof of malpractice insurance that covers CJWs.

(G) The applicant organization shall attest to the organization's ability to comply with any reporting requirements.

(3.) The Authorizing Body shall review each application to launch a CJW program under this rule and ensure that the application sufficiently sets forth the requirements listed above. The Authorizing Body shall then issue

authorization for the legal services organization pursuant to this program.

- (4.) In the case that an authorized legal services organization under this Rule is no longer qualified under Cal. Bus. & Prof. Code §6213 (a) or (b) but wishes to continue operating as an authorized legal services organization under this Rule, then the Authorizing Body should consider and determine whether the organization's CJW program may continue and what requirements to impose to ensure the ongoing quality of the program.

These application requirements are simple and designed to rely on existing reporting requirements imposed on these organizations through the IOLTA process. The CJW Working Group noted that organizations receiving IOLTA funds already go through a significant application, review, and monitoring process and sought to minimize any additional requirements needed to satisfy oversight goals for the CJW program. This section also establishes a presumption that the Authorizing Body *shall* authorize proposed CJW programs as long as the application sufficiently sets forth the required information.

Finally, this section gives the Authorizing Body the discretion to allow an organization which is no longer qualified under Cal. Bus. & Prof. Code § 6213 (a) or (b) to continue operating a CJW program.

**Section (c)** outlines the **requirements for authorized legal services organizations** under this Rule:

- (1.) Once authorized, the legal services organization must:
  - (A) Certify each individual CJW to the State Bar once that person has satisfactorily completed the organization's relevant training requirements and submit each CJW's scope of practice, including legal service area(s) and scope of activities.
  - (B) Ensure ongoing capacity and capability to adequately supervise CJWs according to California Rule of Professional Conduct 5.3.
  - (C) Report any relevant changes in status, either of the organization or any CJW, including:
    - (i.) Immediately inform the State Bar if the organization no longer receives IOLTA funding or stops providing approved services.

(ii.) Immediately inform the State Bar when any CJW is no longer eligible for inclusion in this program, whether by resignation, termination, or other reason.

(iii.) Immediately report any known violations of applicable rules by CJWs to the State Bar. Violation may be grounds for termination of CJW status.

(D) Report the following information to the State Bar on an annual basis, to ensure ongoing feedback for continuous program improvement:

(i.) Number of clients served by CJWs through the waiver.

(ii.) Hours worked by CJWs.

(iii.) CJW case outcomes, including main and economic benefits.

(iv.) Post-services survey of clients served by CJWs. The survey will be developed by the external researcher conducting the CJW

program evaluation as described in Section

(f).

(v.) Client complaints and resolution of complaints, if any.

(vi.) Certain information on organization's active CJWs, including:

1. Gender
2. Age
3. Race/ethnicity
4. Income level
5. Highest level of education
6. Language capability
7. CJW identification, if any, as a member of the client community

(vii.) Summary of costs of implementing and maintaining the CJW program.

(E) Failure of the authorized legal services

organization to comply with these requirements may result in audit, review, and potential impacts on funding for the organization.

In this framework, the authorized legal services organization is the primary mechanism for oversight and control of individual CJWs. This means that each organization is primarily responsible for ensuring competency and compliance and for responding when a CJW is failing to perform according to the organization's expectations. The organization and the lawyers therein remain subject to California Rule of Professional Conduct 5.3. This also means that the organization and the lawyers therein are responsible, legally, should a CJW fail to perform competently.

**Section (d)** establishes the requirements for individual CJWs.

(1.) CJWs must meet the following minimum requirements:

- (A) Be at least eighteen (18) years of age.
- (B) Have a high school diploma or the equivalent.
- (C) Meet the authorized legal service organization's requirements for employment or volunteer status as applicable.

(2.) A CJW is not permitted to perform any activities constituting the practice of law outside of the scope of certification submitted by the authorized legal services

organization to the State Bar. Any activities constituting the practice of law outside the scope of the certification are subject to enforcement under Cal. Bus. & Prof. Code §§ 6125 *et seq.*

- (3.) A CJW is not permitted to charge any fees, including fees structured on a contingent or percentage basis, or for a referral, for legal services provided under this program.
- (4.) A CJW's authorization to provide the services outlined in the certification is contingent upon affiliation with an authorized legal services organization. Should that affiliation cease for any reason, the CJW is no longer certified to provide the relevant legal services and will be subject to enforcement under Cal. Bus. & Prof. Code §§ 6125 *et seq.* should the CJW continue to provide such services. However, a CJW may transfer affiliation as contemplated in Section (e) below.
- (5.) No disbarred or suspended legal practitioner (attorney or person otherwise once authorized to practice law), whether disciplined in California or any other jurisdiction, may be certified as a CJW.

(6.) Each CJW shall be subject to the California Rules of Professional Conduct, California Rules of Court, and all other relevant statutes and rules.

This section clearly states that a CJW's authorization to offer legal services is entirely contingent upon their affiliation with an authorized legal services organization. CJWs are not independently licensed to practice law and are not allowed to operate independently. Doing so exposes them to prosecution as per Cal. Bus. & Prof. Code §§ 6125 *et seq.*

In addition, this section bars any suspended or disbarred legal practitioner from being certified as a CJW. The language is expansive to capture licensed paraprofessionals and CJWs from other states but would allow retired attorneys to serve as CJWs.

**Section (e)** outlines the requirements to be met should a CJW wish to **transfer** from one authorized legal services organization to another.

(1.) If a CJW wishes to transfer affiliation from one authorized legal services organization to another, the organization to which the CJW is transferring must

independently determine that the CJW is qualified to competently provide services within that organization's program and then certify the CJW to the State Bar as described in Section (c).

- (2.) The transferring CJW cannot provide services in the transferee legal services organization until that certification has been accepted by the State Bar.

The CJW Working Group recognized that CJWs may move between organizations and sought to ensure that the transferee organization independently determine that the CJW is prepared to offer legal services competently under that organization's program.

**Section (f)** establishes the role of the State Bar of California in the CJW program.

- (1.) The State Bar shall develop a simple process by which authorized legal services organizations can certify individual CJWs to the State Bar for inclusion in the organization's roster of CJWs. Such certification should include:

- (A) The name of the CJW; and

- (B) The scope of practice (legal service area(s) and scope of activities of the CJW).
- (2.) The State Bar shall maintain a roster of authorized legal services organizations and their active CJWs, including their scope of practice, that shall be posted on its website;
- (3.) The State Bar shall develop a process by which it promptly communicates the roster of authorized legal services organizations and their CJWs to any other relevant authorities, including those authorities responsible for enforcement of Cal. Bus. & Prof. Code §§ 6125 *et seq.*
- (4.) The State Bar shall report to the Legislature and Supreme Court all complaints received by the State Bar against CJWs, the nature of the complaint, and the resolution on an annual basis.

In this framework, the authorized legal services organizations themselves act as the primary oversight mechanism for CJWs and are responsible for ensuring competency and compliance with rules and standards of conduct. The State Bar's role is primarily that of

information repository and communicator, both to the public and to other relevant authorities.

**Section (g)** outlines the requirement for an **evaluation of this CJW program**.

- (1.) The program shall be evaluated within five years of the first authorization of a legal services organization's CJW program.
- (2.) The State Bar will select an outside evaluator to conduct the evaluation, subject to the approval of the Supreme Court.
- (3.) The evaluation will seek to understand the impact of the CJW program on access to justice for underserved communities.

Empirical review and evaluation of any significant policy change is an important part of informed and transparent governance. There are multiple researchers conducting evaluations of CJW programs across the country who are well-placed to assist in this evaluation and who have developed sophisticated methodologies to ensure the highest possible reliability in the data and analysis. It is difficult to say how such an evaluation might look or how much it

might cost at this stage, as much depends on the number of legal services organizations that launch CJW programs and the extent of those programs, as well as the potential diversity of those programs.

## V. CONCLUSION

The legal aid community of California seeks this Court's approval of Proposed Rule 9.45.1 to allow our staff and community allies to work with us to help more Californians facing legal difficulties. Many legal needs can be resolved by trained and supervised nonlawyers for the ultimate good of the community. We respectfully submit the Proposed Rule 9.45.1 for review and approval of the California Supreme Court.

Respectfully Submitted,

*Salena Copeland*

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Salena Copeland

*Zach Newman*

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Zach Newman

*Leigh E. Ferrin*

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Leigh E. Ferrin

*Sacha Steinberger*

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Sacha Steinberger

On behalf of parties Legal Aid Association of California, OneJustice,  
and Legal Link

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**CERTIFICATE OF WORD COUNT**

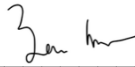
Pursuant to California Rules of Court Rule 8.486(a)(1) and (b)(6), the text of this Petition, including footnotes and excluding the tables of contents and authorities and this certificate, consists of 9,544 words in 14-point Times New Roman type as counted by the Microsoft 365 word-processing program used to generate the text.

Respectfully Submitted,



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Salena Copeland



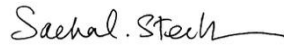
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