

6.4 Discussion Regarding Mapping the National Landscape to Expand Access to Legal Services

Jennifer Zelnick, Lead Program Analyst, Office of Access & Inclusion

Legal Services Trust Fund Commission Meeting | May 21, 2025

Agenda

1. Defining Licensure Reform
2. Licensure Reform by Jurisdiction
3. Examples of Programs in Operation
4. Timeline of the State Bar's Efforts to Reduce the Justice Gap through Licensure Reform
5. A Legal Aid-Led California Community Justice Workers Proposal
6. Discussion




Licensure reform
involves changing
how the practice
of law is regulated
to increase the
public's access to
legal help.

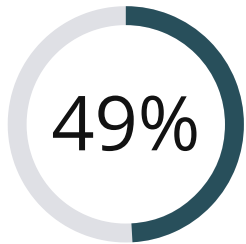
Types of Licensure Reform

- ① Alternative Business Structure (ABS)
- ② Alternative Pathways to Licensure (APL)
- ③ Community Justice Workers (CJW)
- ④ Paraprofessionals
- ⑤ Regulatory Sandbox

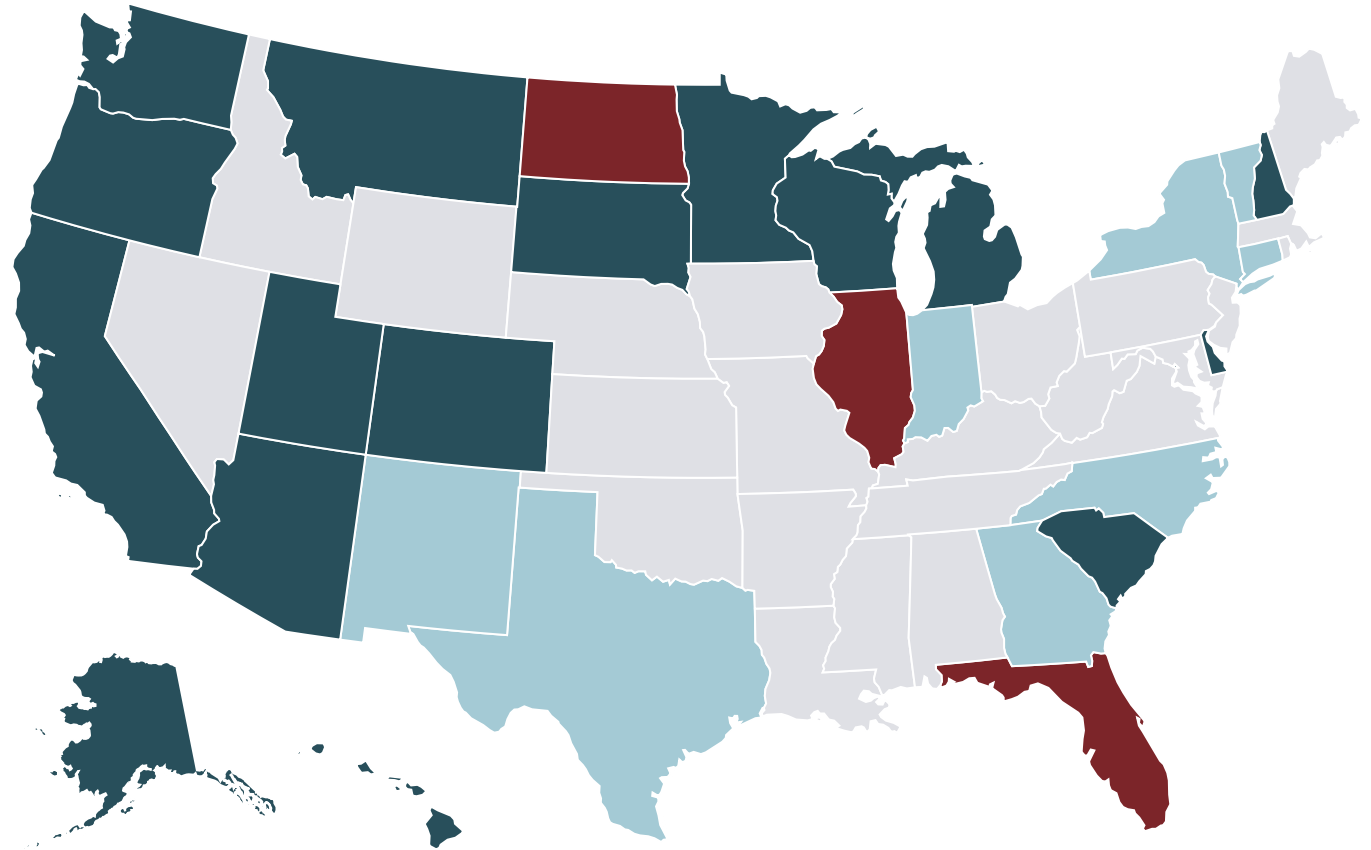
Licensure Reform by Jurisdiction

Mapping U.S. Licensure Reform

-  Active licensure reform programs (including permanent programs, pilots, and programs that have sunset).¹
-  Licensure reform programs under consideration or development.
-  Licensure reform programs that are inactive, deferred, or no longer under consideration.



Nearly half of U.S. states (and D.C.) have licensure reform programs that are either active, under consideration, or in development.



¹Although Washington's paraprofessional program sunset, those with active licenses may still practice.

Licensure Reform by Jurisdiction

Jurisdiction	Type of Licensure Reform	Status
Alaska	CJW	Active
Arizona	ABS APL CJW Paraprofessionals	Active (all)
California	APL Paraprofessionals CJW	Active No longer under consideration Under consideration
Colorado	Paraprofessionals	Active
Connecticut	Paraprofessionals	Under consideration
Delaware	APL CJW	Under consideration Active
District of Columbia	ABS	Active
Florida	Paraprofessionals	No longer under consideration
Georgia	Type(s) to be determined	Under consideration
Hawai'i	CJW	Active
Illinois	Paraprofessionals	Deferred

Licensure Reform by Jurisdiction

Jurisdiction	Type of Licensure Reform	Status
Indiana	Paraprofessionals Regulatory Sandbox	Under development (both)
Montana	CJW	Active
Michigan	Paraprofessionals	Under consideration
Minnesota	Paraprofessionals Regulatory Sandbox	Active Under development
New Hampshire	APL Paraprofessionals	Active (both)
New Mexico	Paraprofessionals	Under consideration
New York	CJW	Under consideration
North Carolina	Paraprofessionals	Under consideration
North Dakota	APL	No longer under consideration
Oregon	APL Paraprofessionals	Active (both)
South Carolina	CJW	Active

Licensure Reform by Jurisdiction

Jurisdiction	Type of Licensure Reform	Status
South Dakota	APL	Active
Texas	ABS APL CJW Paraprofessionals	Rejected Under consideration Delayed Delayed (Supreme Court) and under consideration (Legislature)
Utah	ABS Paraprofessionals Regulatory Sandbox (includes CJWs)	Active (all)
Vermont	CJW	Under consideration
Washington	APL Paraprofessionals Regulatory Sandbox (includes ABS)	Active Sunset Active
Wisconsin	APL	Active

Examples of Programs in Operation

Alaska's Community Justice Workers (CJWs)



Background

- Trusted community members who work or volunteer in their communities
- Trained and supervised by the Alaska Legal Services Corporation
- Over 200 CJWs have been trained
- CJWs have secured approximately \$23.7 million in SNAP benefits for clients
- Clients report a 100 percent satisfaction and success rate

Education, Experience, and Training Requirements

- Complete free, online, self-paced training in one or more practice areas; and
- Some options for in-person training

Practice Areas

- Primarily SNAP advocacy and drafting wills
- Also debt collection, Indian Child Welfare Act, and domestic violence

Scope

- Limited scope legal advice, supervised by an attorney from Alaska Legal Services Corporation
- May expand due to the passage of [Rule 43.5](#) (UPL waiver)

Minnesota's Legal Practitioners (LPs)



Background

- Began as a pilot in 2020, permanent as of January 1, 2025
- LPs are supervised by attorneys
- Currently 30 LPs; no complaints have been received
- LP custody matters took an average of 50 days less to resolution compared to those with lawyer representation

Education, Experience, and Training Requirements

- Associate's or Bachelor's Degree in paralegal studies;
- Paralegal certificate in addition to an Associate's or Bachelor's Degree;
- Law degree from an ABA-accredited school; or
- Highschool diploma and five years of substantive paralegal experience

Practice Areas

- Family and housing law

Scope

- Appear in court on behalf of clients in some family law cases, provide advice in other family law cases, and appear with a client in family law mediations in some cases
- Advice and appear in court for housing disputes (eviction and eviction expungement)

Utah's Certified Advocate Partners Program (CAPP)



Background

- Authorized by the Utah Supreme Court in February 2021 under the Utah Regulatory Sandbox
- Advocates are supervised by an attorney from Timpanogos Legal Center
- Empowers victim advocates to provide legal advice to pro se survivors
- Advocates have assisted 358 clients, closed 327 cases, and provided 841 unique services in 3 years
- 77 percent of clients served through CAPP live in rural Utah
- 16 active CAPP advocates

Education, Experience, and Training Requirements

- 50 to 60 hours of training over three months;
- Asynchronous and synchronous including a practice manual, assignments, one-on-one feedback, and an exam;
- 7 units, including ethics, legal writing, and rules of evidence; and
- Advocates must have 2 or more years of victim advocacy, including experience with civil protective orders

Practice Areas

- Family law

Scope

- Legal advice on civil protective orders and stalking injunctions

Timeline of the State Bar's Efforts to Reduce the Justice Gap through Licensure Reform



JULY 2018

The Board of Trustees formed the California Paraprofessional Working Group (CPPWG)



MARCH 2022

The Board of Trustees approves the CPPWG Recommendations and Rules



SEPTEMBER 2022

AB 2958 sunset on January 1

The Board of Trustees commissioned a Legal Market Landscape Report, leading to the formation of the Task Force on Access Through Innovation of Legal Services (ATILS)

MARCH 2020



The Board of Trustees formed the Closing the Justice Gap Working Group (CJGWG) to explore the creation of a regulatory sandbox

MAY 2022



AB 2958 passes, prohibiting the State Bar from advocating for a paraprofessional program and limiting its exploration of a regulatory sandbox

JANUARY 2025



**A Legal Aid-Led
California
Community
Justice Workers
Proposal**

Background: Working Group Recommendations



Scope of Program

- Recommends a statewide CJW program for legal aid
- Proposes authorized legal services organizations (LSOs) could:
 - Certify individual CJWs
 - Provide legal advice and other activities that may be defined as the practice of law
 - Serve clients who qualify for free legal services
 - Operate without violating California's prohibition on UPL
- Recommends streamlining the process for IOLTA-funded organizations
- Suggests pathway to authorization for non-IOLTA organizations

Role of the Legal Services Trust Fund Commission (LSTFC)

- The LSTFC would review applications, including:
 - CJW training plan;
 - Informed consent plan;
 - Client files security plan; and
 - Proof of malpractice insurance
- LSTFC to issue authorization for the LSO and notify the State Bar

Working Group Proposed Requirements for Authorized Legal Services Organizations

Certify each individual CJW to the State Bar once an individual satisfies all training requirements.

- Submit each CJW's scope of practice

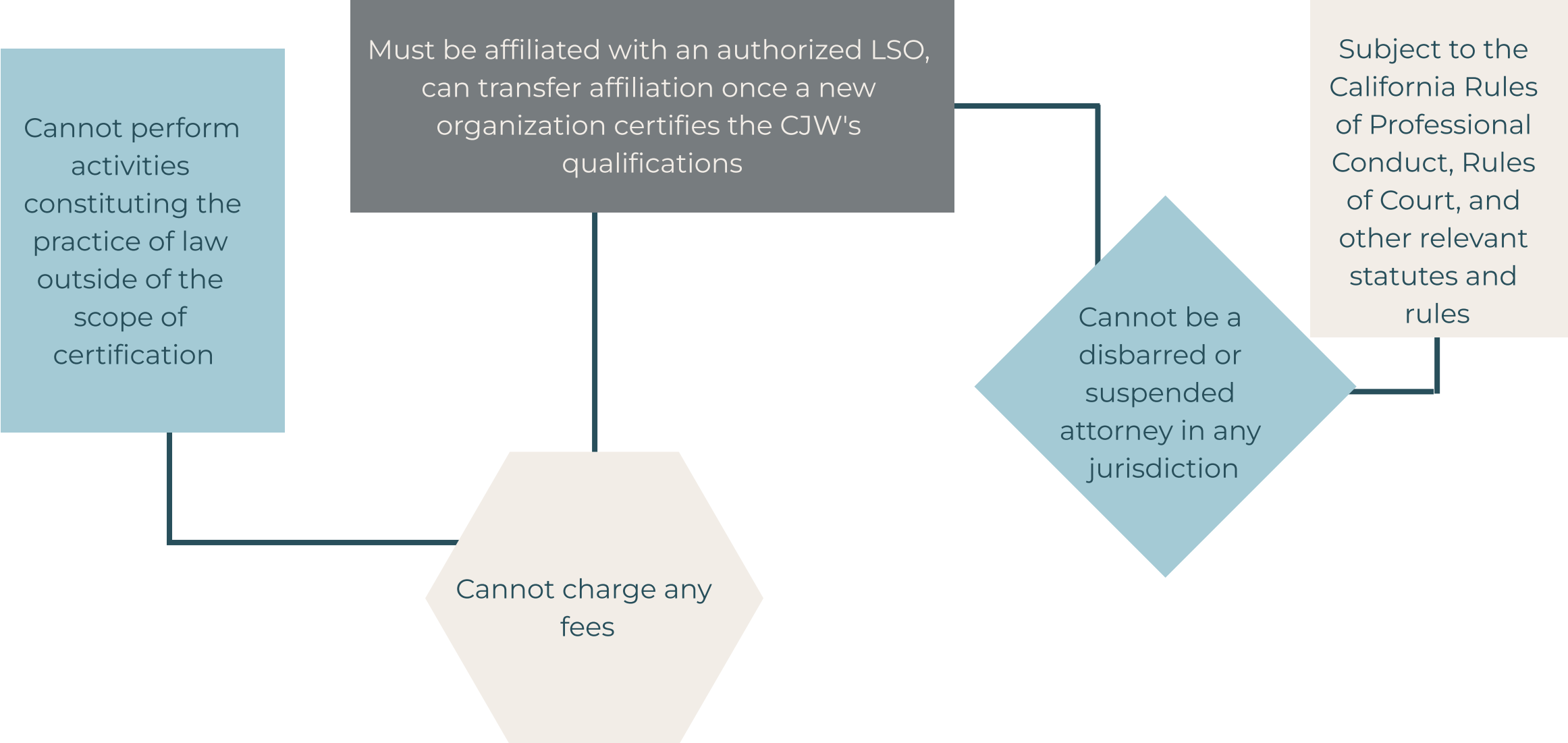
Report any relevant changes in status, either of the organization or any CJW, including:

- IOLTA status or loss of services;
- CJW loss of eligibility; and
- Violations of rules

To ensure ongoing feedback for continuous program improvement, report to the State Bar on an annual basis:

- Number of clients served by CJWs;
- Hours worked by CJWs;
- Legal/financial outcomes;
- Post-services survey of CJW clients;
- Client complaints and resolution; and
- CJW demographics

Working Group Proposed Requirements for CJWs



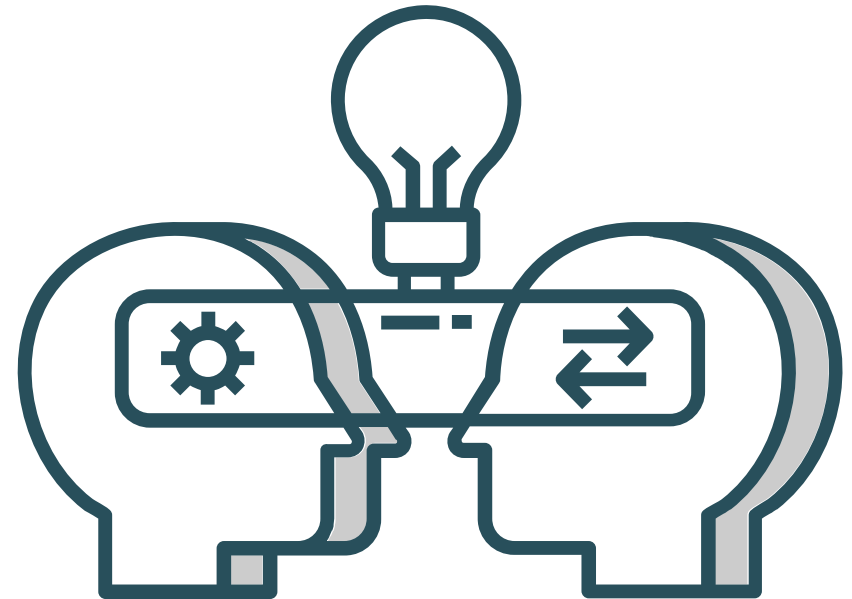
Working Group Proposed Role for the State Bar

- Post a roster of authorized LSOs on its website
- Develop a process for authorized LSOs to certify individual CJWs
- Communicate the roster of authorized LSOs and their CJWs to other relevant authorities, including those who enforce UPL
- Report to the Legislature and Supreme Court all complaints received against CJWs annually, including:
 - The nature of the complaint; and
 - The resolution of the complaint

Working Group Proposed Program Evaluation Plan

After five years, assess:

- The number of CJW providers
- The number of clients served
- The impact on the ability of LSOs to serve their communities, including:
 - Legal and financial outcomes (immediate and longer term);
 - Impacts on access to justice for underserved communities as a result of the CJW program; and
 - Community trust and engagement
- Cost of implementation within individual LSOs
- Cost of implementation of the program





Discussion

Thank you!

For questions, please contact:
Jennifer Zelnick, Lead Program Analyst,
at jennifer.zelnick@calbar.ca.gov

